

# Kansas Register

Bill Graves, Secretary of State

Vol. 12, No. 5

February 4, 1993

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PUBLISHED BY
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Secretary of State
2nd Floor, State Capitol
Topeka, KS 66612-1594
(913) 296-2236



Register Office: 235-N, State Capitol (913) 296-3489

# University of Kansas

#### Notice to Bidders

Sealed bids for the items listed below will be received by the University of Kansas Purchasing Office, Lawrence, until 2 p.m. local time on the date indicated and then will be publicly opened. Interested bidders may call (913) 864-3416 or FAX (913) 864-3454 for additional information.

# Tuesday, February 16, 1993 RFQ 93 0707

RISC processor-based workstations with tape backup and disk drives

Gene Puckett, C.P.M. Director of Purchasing

Doc. No. 013022

State of Kansas

#### Kansas Arts Commission

# Notice of Meeting

The Kansas Arts Commission will conduct its quarterly business meeting from 9 a.m. to 4 p.m. Friday, February 19, at the Wichita Center for the Arts, 9112 E. Central, Wichita.

During the business meeting, the commissioners will formally ratify the recommendations of the advisory panels that reviewed applications for the 1993 Kansas Artist Fellowships in the visual arts. Three fellowships of \$5,000 each will be awarded, and a reception for the artists will follow the meeting.

In other business, the commissioners will hear reports on a proposed cultural exchange between Kansas and Russia, and plans for "Celebrate Kansas Culture!" Day and the 1993 Governor's Arts Awards ceremony, at 2 p.m. March 18 at the Capitol in Topeka.

The commissioners will review the current budget for fiscal year 1993 and the Governor's budget recommendations for fiscal year 1994. They also are scheduled to approve the preliminary apportionment plan for fiscal 1994 and grants applications submitted to the National Endowment for the Arts. Staff members will report on commission programs.

Meetings of the Kansas Arts Commission, a state agency, and of its advisory panels are open to public observation.

For more information, contact the Kansas Arts Commission, Jayhawk Tower, 700 S.W. Jackson, Suite 1004, Topeka 66603-3758, (913) 296-3335. Persons with special communication needs may utilize the Kansas Relay Center: 1-800-766-3777.

Dorothy L. Ilgen Executive Director

Doc. No. 013016

State of Kansas

# State Emergency Response Commission

#### Notice of Meeting

The State Emergency Response Commission will meet at 9 a.m. Thursday, February 11, in the Florentine Room of the Jayhawk Tower, 7th and Jackson, Topeka.

Robert C. Harder Secretary of Health and Environment

Doc. No. 012997

#### State of Kansas

# Division of Services for the Blind Advisory Committee

# Notice of Meeting

The Division of Services for the Blind Advisory Committee will meet from 9 a.m. to noon Friday, February 26, in the Rehabilitation Center for the Blind conference room, 2516 W. 6th, Topeka.

Richard A. Schutz Director

State Treasurer

Doc. No. 013003

#### State of Kansas

#### Office of the State Treasurer

#### **Notice of Investment Rates**

The following rates are published in accordance with K.S.A. 75-4210 as amended per 1992 Session Laws of Kansas, Chapter 146. These rates and their uses are defined in K.S.A. 75-4201(l), 12-1675(b)(c)(d) and K.S.A. 75-4209(a)(1)(B), as amended by the 1992 Legislature.

### Effective 2-8-93 through 2-14-93

Term	Rate
0-90 days	3.05%
3 months	2.94%
6 months	3.15%
12 months	3.54%
24 months	4.21%
36 months	4.81%
48 months	5.26%
	Sally Thompson

# Kansas Judicial Council

#### Notice of Meetings

The Kansas Judicial Council and its advisory committees will meet according to the following schedule at the Kansas Judicial Center, 301 W. 10th, Topeka.

Date	Committee	Time	Location
Feb. 12	Probate Law	9:30 a.m.	Court of Appeals
			Courtroom, 2nd Floor
Feb. 12	PIK	9:30 a.m.	Room 259
Feb. 19	Technology	9:30 a.m.	Room 259
Feb. 19	Civil Code	9:30 a.m.	Court of Appeals
7-7-7			Courtroom, 2nd Floor
Mar. 5	Care & Treatment	9:30 a.m.	Room 259
Mar. 12	Technology	9:30 a.m.	Room 259
Mar. 12	Probate Law	9:30 a.m.	Court of Appeals
	1		Courtroom, 2nd Floor
Mar. 18	Family Law	9:30 a.m.	Room 259
Mar. 19	PIK	9:30 a.m.	Room 259

Justice Kay McFarland

Doc. No. 013004

#### State of Kansas

# Department of Commerce and Housing

### Notice of Hearing on 1993 Low Income Housing Tax Credit Program

The Division of Housing, Kansas Department of Commerce and Housing, will conduct public hearings to solicit public comment on the proposed 1993 Low Income Housing Tax Credit Program according to the following schedule:

February 23, 10 a.m.

Security Benefit Tower
700 S.W. Harrison, 4th Floor
Room 4 West A
Topeka

February 24, 10 a.m.

Finney County Public Library
Hutchinson Room
605 E. Walnut
Garden City

March 2, 2 p.m.

Memorial Auditorium
Room B-1
503 N. Pine
Pittsburg

A display copy of the proposed 1993 plan will be available for review beginning February 8 from 8 a.m. to 5 p.m. Monday through Friday at the Department of Commerce and Housing, 700 S.W. Harrison, Suite 1300, Topeka, and at KDOC&H field offices: 1115-C, Kansas Plaza, Garden City, and 1501 S. Joplin/Shirk Hall, Pittsburg State University, Pittsburg.

In order to be considered, all comments must be submitted to the attention of Fred Bentley, Program Administrator, Kansas Department of Commerce and Housing, 700 S.W. Harrison, Suite 1300, Topeka 66603, house March 2

before March 2.

Robert Knight Secretary of Commerce and Housing

Doc. No. 013031

State of Kansas

# Department of Commerce and Housing

### Notice of Hearing Concerning Low Income Weatherization Assistance Program

In accordance with Department of Energy regulations, the Kansas Weatherization Assistance Program will conduct a public hearing at 1 p.m. Monday, February 15, in Suite 1300, 400 S.W. Harrison, Topeka, to receive comments on the 1993 Department of Energy State Plan.

A draft copy of the 1993 plan will be available upon request prior to the hearing by calling (913) 296-2686.

All comments are to be followed in writing and submitted for incorporation into the minutes of the hearing. Written comments should be mailed to Norma Phillips, Director, Weatherization Assistance Program, Division of Housing, Department of Commerce and Housing, Suite 1300, 700 S.W. Harrison, Topeka 66603-3712.

Robert Knight Secretary of Commerce and Housing

Doc. No. 013024

# State of Kansas

# Office of Drug Abuse Programs

### Notice of Available Funding

A total of \$4.613 million is now available through the Kansas Criminal Justice Anti-Drug Grant Program to assist Kansas criminal justice agencies in the war against illicit drugs. The \$4.613 million figure represents funds awarded to the state of Kansas by the U.S. Department of Justice, Bureau of Justice Assistance.

Cities, counties and state agencies are eligible to apply for these funds for both supply and demand reduction projects, including multijurisdictional task forces, school-based demand reduction education by law enforcement officers and other innovative, expanded, or specialized enforcement, investigative, prosecutorial, defender, judicial and treatment programs.

Grants operate on a reimbursement basis. Applicants must provide 25 percent of the total amount requested (local matching funds). The Governor's Office of Drug Abuse Programs will provide 75 percent by reimbursing subrecipients for 75 percent of authorized expenses. Reimbursements are processed monthly.

Applications must be submitted by 5 p.m. April 2 to the address listed below. Grant awards will be announced through June 30, 1994.

To obtain an application kit or more information, please write: Governor's Office of Drug Abuse Programs, Kansas Department of Administration, Room 112, Landon State Office Building, 900 S.W. Jackson, Topeka 66612-1220.

Brent Bengtson Directe

# Kansas Dental Board

# Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 7 p.m. Wednesday, March 10, in the Regency Room, Holiday Inn, Emporia, to consider the adoption of proposed changes in existing rules and regulations of the Kansas Dental Board.

This 30-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the Kansas Dental Board, 3601 S.W. 29th, Suite 134, Topeka 66614. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

These regulations are proposed for adoption on a permanent basis. A summary of proposed regulations and their economic impact follows.

**K.A.R.** 71-1-16. Definition of certain terms. This new regulation defines certain dental operations and services set out in K.S.A. 65-1423(g) as functions which shall not be performed by unlicensed dental auxiliaries. Dental services defined include removal of or addition to the hard or soft tissue of the oral cavity, diagnosis of or prescription for treatment, correction of malformation of teeth or of the jaws and general or local anesthesia of any nature in connection with a dental operation.

By clarifying the statute, the regulation will promote uniform compliance in the area of delegation of dental services and will result in cost savings to dentists and dental patients without sacrificing quality. It will not have a cost impact on any other entity, including the Kansas Dental Board or other governmental agencies or units.

K.A.R. 71-1-17. Nitrous Oxide/Oxygen; unlicensed assistant. This new regulation requires that a dental assistant not licensed by the Kansas Dental Board shall complete an approved course of instruction before engaging in the administration and monitoring of nitrous oxide/oxygen.

By clarifying the statute and regulation referring to the analgesic use of nitrous oxide/oxygen and providing training safeguards, this regulation will promote uniform compliance, efficiency and cost savings without sacrificing quality of care. It will not have a cost impact on any other entity, including the Kansas Dental Board or other governmental agencies or units.

K.A.R. 71-3-3. Authorized dental hygienist duties. The amendment to this regulation enlarges the range of services which may lawfully be provided by a liensed hygienist to include removal of overhanging estoration margins and periodontal surgery materials by hand scaling instruments and the administration of

local anesthesia and nitrous oxide by a qualified hygienist under direct supervision of a licensed dentist.

The amendment will improve the efficiency of many dental offices and thus result in lower dental patient cost without sacrificing quality of patient care. It will not result in any added costs to dentists, the consuming public or governmental agencies or units.

Copies of the regulations and their economic impact statements may be obtained from the Kansas Dental Board at the address above, (913) 273-0780.

Estel L. Landreth, D.D.S. President

Doc. No. 013009

State of Kansas

# Kansas Sentencing Commission

# Notice of Acceptance of Applications for Executive Director

Attorney General Robert T. Stephan, Chairman of the Kansas Sentencing Commission, is seeking applications for the position of Executive Director of the Kansas Sentencing Commission to serve at the will and pleasure of the commission.

The position is responsible for directing the daily activities of the Sentencing Commission. Duties include administration, policy analysis, providing technical assistance to a variety of criminal justice agencies concerning the implementation of guidelines, monitoring the implementation of the guidelines, and providing the legislative and executive branches with information concerning sentencing matters. The job entails a significant amount of interaction with the legislature.

The executive director is responsible for the supervision of four staff members and the preparation of an agency budget.

#### Minimum Qualifications

Education: Graduation from an accredited four year college or university with a major in criminal justice, psychology, sociology, public administration, or a closely related field is required.

A Master's Degree or a Juris Doctorate is preferred. Three or more years of administrative experience is required.

Experience working with the legislature is preferred. Salary

A range of \$53,000 to \$57,000 is anticipated; however, the final salary is subject to approval by the Governor.

Application can be made by sending a letter of application and resume for receipt on or before 5 p.m. February 12 to the Attorney General in care of the Kansas Sentencing Commission, Suite 501, Jayhawk Tower, 700 S.W. Jackson, Topeka 66603.

The State of Kansas is an equal opportunity employer.

Julie Meyer Office Specialist

# Northwest Kansas Groundwater Management District No. 4

#### Notice of Meeting

The Northwest Kansas Groundwater Management District No. 4 board will meet at 10 a.m. M.S.T. Thursday, February 18, at the Elks Lodge, 1523 Arcade, Goodland. General administrative matters and other business will be discussed.

In addition, the board will conduct its 18th annual meeting at 1 p.m. February 18 at the same location.

Wayne A. Bossert Manager

Doc. No. 013008

State of Kansas

# Department of Health and Environment

#### Notice of Meeting

The Department of Health and Environment will meet at 9 a.m. Tuesday, February 23, in the SRS Staff Development Training Center, 300 S.W. Oakley, Topeka. The proposed agenda includes:

-Secretary's report

—Public hearing and adoption of permanent regulation to delete and add diseases to conform to National List of Reportable Diseases (K.A.R. 28-1-2)

—Public hearing and adoption of permanent regulations to define requirements for licensure of adult care home administrators (K.A.R. 28-38-18 through K.A.R. 28-38-23 and K.A.R. 28-38-29)

-Program activities

—Policy discussion on the incineration of dioxin at APTUS, Inc., Coffeyville

The meeting is open to the public. Telephone hookups are provided at the KDHE district offices located in Chanute, Wichita, Dodge City, Hays, Salina and Lawrence; the Pittsburg Office of Surface Mining; and the Wyandotte County and Johnson County Health Departments. For further information, contact Mary Ann Cummings at (913) 296-0461.

Any disabled person who plans to attend this meeting and requires visual or communication aid or assistance, building access assistance or other similar assistance should contact Mary Ann Cummings at least four days prior to the meeting so appropriate arrange-

ments can be made.

Robert C. Harder Secretary of Health and Environment State of Kansas

# **State Conservation Commission**

#### Notice of Meeting

The State Conservation Commission will meet at 9:30 a.m. Monday, February 15, at the State Conservation Commission office, Conference Room 500, 109 S.W. 9th, Topeka. A copy of the agenda may be obtained by contacting Donna Meader at (913) 296-3600.

Kenneth F. Kern Executive Director

Doc. No. 013007

State of Kansas

# Department of Health and Environment

### Notice of Proposed Permit Action

The Secretary of Health and Environment is proposing to issue an air emission source construction/conditional operating permit in accordance with K.A.R. 28-19-14 (permits required) to Popejoy Construction Co., Inc. (PC), Ulysses, to install and operate a portable asphalt concrete mixing plant to be initially located at Section 6, T31S, R34W, Seward County, Kansas.

Written materials, including the permit application and information relating to the application submitted by PC, draft permit, permit summary and analysis by KDHE describing the basis for the proposed permit, are available for public inspection during normal business hours through March 4 by contacting Wayne Neese, Air Quality District Representative, Southwest District KDHE Office, 302 W. McArtor Road, Dodge City, (316) 225-0596. This material also can be reviewed at the KDHE office in Building 740, Forbes Field, Topeka. Questions concerning this proposed permit should be directed to L. C. Hinther, KDHE, (913) 296-1576.

K.S.A. 65-3008 provides that any person affected by the issuance of a permit can request a public hearing prior to its issuance. The request must be in writing and addressed to the secretary. If the secretary determines there is sufficient reason in the request, a public hearing will be conducted—the place, date and time of the hearing will be announced in this publication. A request for a hearing or written comments on the proposed permit must be submitted to the Secretary, Kansas Department of Health and Environment, Landon State Office Building, 900 S.W. Jackson, Topeka 66612, before March 4.

Robert C. Harder Secretary of Health and Environment

Doc. No. 013010

# Corporation for Change

### Notice of Meeting Dates

Meeting dates for the Corporation for Change Board of Directors are as follows:

Date Time Location
February 12 noon State Capitol
March 5 noon To be announced
April 16 (tentative)

May 21 (tentative) June 18 (tentative)

For additional information, contact Jolene Grabill, Executive Director, Corporation for Change, Suite 902, Jayhawk Tower, 700 S.W. Jackson, Topeka 66603-3758, (913) 296-4300.

Meeting dates for the Family Court Advisory Committee of the Corporation for Change are as follows:

DateTimeLocationMarch 410 a.m.To be announced

For additional information, contact Marjorie Van Buren, Judicial Issues Coordinator, Corporation for Change, at the address above.

Jolene Grabill Executive Director

Doc. No. 013013

State of Kansas

# Department of Health and Environment

### Notice Concerning Kansas Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for discharges to the waters of the United States and the state of Kansas for the applicants described below. The tentative determinations for permit content are based on preliminary staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization to discharge subject to certain effluent limitations and special conditions.

#### Public Notice No. KS-AG-93-10/12

Name and Address
of Applicant

Dennis J. Lacy
Belleview Park
Route 2, Box 289
Drexel, MO 64742

Legal
Description

NE ¹/4, Sec. 21,
T18S R25E, Miami
County
Basin

Receiving
Water

Roter

Roceiving
County

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Kansas Permit No. A-MCMI-S026

The proposed facility will have capacity for approximately 450 swine. Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided in excess of minimum requirements.

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. The waste management plan shall be based on accepted principles, methodologies and data for waste characteristics and crop utilization. The plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Name and Address
of Applicant

Tim Iwig
3320 Tecumseh, KS 66542

Shawnee County

Receiving
Water

Receiving
Water

Ransas River
Basin

Kansas Permit No. A-KSSN-M003

The dairy has capacity for approximately 30 dairy cattle with expansion planned for an additional 50 dairy cattle and a contributing drainage area of approximately .27 acres. This is an expansion of an existing facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided in excess of 34,000 cubic feet.

Compliance Schedule: None, existing controls adequate.

Name and Address Legal Receiving of Applicant Description William Theno SE 1/4, Sec. 19, Kansas River via Route 3 T11S, R22E, Stranger Creek 18320 Metro Ave. Leavenworth Tonganoxie, KS 66086 County Kansas Permit No. A-KSLV-S013

The existing facility will have capacity for approximately 1700 swine. Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided in excess of minimum requirements.

Compliance Schedule:

 The present cropland located southeast of the open sow lots which receives rainfall runoff from the open sow lots shall be seeded to grass to provide a minimum of 200 feet of grass filter area for open lot runoff by June 1, 1993.

2. A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas of application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approval plan shall become part of this permit.

#### Public Notice No. KS-ND-93-3/5

Name and Address of Applicant Waterway Discharge
Parsons Country Club Non-overflowing Non-overflowing
% Parsons County Club Association
Attn: Tommey McLarty,

President
P.O. Box 301
Parsons, KS 67357

Labette County, Kansas

Kansas Permit No. C-NE55-N002

Description of Facility: This system consists of an in series existing septic tank and aeration basin plus a proposed one-cell non-overflowing lagoon. This is a new facility.

(continued)

Name and Address of Applicant
Penny's Concrete, Inc.-

Waterway
Non-overflowing

Type of
Discharge
Non-overflowing

Edgerton Quarry 23400 W. 82nd Shawnee Mission, KS 66227

Johnson County, Kansas Kansas Permit No. I-MC08-N002

Description of Facility: This site is a surface mining quarry. The rock is crushed, stockpiled, and hauled from the site. There is no washing of the excavated rock or crushed aggregate, nor dewatering of the quarry pit. Domestic wastes are disposed of in portable toilets. This is a new facility.

Name and Address of Applicant

Waterway

Non-overflowing

Type of
Discharge
Non-overflowing

Penny's Concrete, Inc.-Paola

Paola Division 23400 W. 82nd Shawnee Mission, KS 66227

Miami County, Kansas

Kansas Permit No. I-MC33-NP01

Description of Facility: This facility is a ready-mix concrete plant. Concrete hauling trucks are washed out into an abandoned quarry pit that contains a large body of water. Water is recycled from the quarry pit to the concrete plant for use in the production of concrete and in washing trucks. This is a new facility.

#### Public Notice No. KS-93-10/13

Name and Address of Applicant Conoco, Inc. Petroleum Pipeline-Wichita P.O. Box 2197

Waterway Four Mile Creek via Spring Branch

Discharge Treated groundwater

Type of

P.O. Box 2197 via unnamed tributary

Sedgwick County, Kansas

Kansas Permit No. I-AR94-P044

Fed. Permit No. KS-0088714

Description of Facility: Conoco, Inc. proposes to pump and treat hydrocarbon-contaminated groundwater by means of an air sparging "frac" tank and low profile air stripper. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Name and Address of Applicant Industrial Gases of Wichita, Inc. Wichita Facility P.O. Box 1152

Tulsa, OK 74101

Name and Address

Waterway Arkansas River via 16th Street Canal Type of Discharge Cooling water; pressure-test wastewater stormwater

Sedgwick County, Kansas

Kansas Permit No. I-AR94-C008

Fed. Permit No. KS-0000221

Description of Facility: This facility primarily manufactures and repackages acetylene gas for industrial purposes. Lime sludge is stored in three earthen lagoons on the plant site. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

of Applicant

Omega Concrete Systems,
Inc.
P.O. Box 11247
56th Terrace and Kaw
Drive
Kansas City, KS 66111

Wyandotte County, Kansas

Type of Discharge Washwater from the cleaning of concrete hauling trucks

Fed. Permit No. KS-0088773

Description of Facility: The facility manufactures precast, prestressed concrete wall panels. The facility has a truck wash for cleaning of concrete hauling trucks. This is a new facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Name and Address
of Applicant
Shawnee County Sewer
District #2
% Public Works
Department

3137 S.E. 29th

Waterway Kansas River via Indian Creek via unnamed tributary Type of Discharge Secondary wastewater treatment facility

Topeka, KS 66605 Shawnee County, Kansas

Kansas Permit No. M-KS72-D002 Fed. Permit No. KS-0116556

Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are technology based.

Written comments on the proposed determinations may be submitted to Bethel Spotts Permit Clerk, or Dorothy Geisler (agricultural permits), Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620.

All comments postmarked or received on or before March 6 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-93-10/12, KS-93-10/13, KS-ND-93-3/5) and the name of applicant as listed when preparing comments.

If no objections are received during the public notice period, the Secretary of Health and Environment will issue the final determinations. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61. Media coordination (newspapers, radio) for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

The application, proposed permit, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 740, Forbes Field, Topeka, from 8 a.m. to 4:30 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Robert C. Harder Secretary of Health and Environment

Doc. No. 013028

Kansas Permit No. I-KS27-P032

# **State Corporation Commission**

# Notice of Rate Filing

Participants in Kansas Motor Carrier Association Tariff 50-J, K.C.C. 86, transporting farm to market commodities, have filed an application in Docket 184,947-R for an increase of 4.0 percent on all commodity rates, an increase in the minimum weights on livestock and to provide a method for determining weights on livestock shipments when no hoof or scale weights are available.

The commission is now accepting petitions and/or protests from interested parties stating their position in this matter. All pleadings should be filed with the Director of the Transportation Division, State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka 66604-4027, on or before March 8. A copy of the pleading also should be served on the attorney for the applicants, Clyde N. Christey, Southwest Plaza Building, Suite 202, 3601 S.W. 29th, Topeka 66614.

At the end of this protest period the commission will review all pleadings to determine if a public hearing is necessary or desirable. If such a hearing is in order, it will be at 10:30 a.m. Tuesday, March 16, in the commission hearing room, 1500 S.W. Arrowhead Road, Topeka.

Judith McConnell Executive Director

Doc. No. 013025

#### State of Kansas

# **State Corporation Commission**

# Notice of Motor Carrier Hearings

Applications set for hearing are to be heard on the date indicated before the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, at 9:30 a.m. unless otherwise noticed.

This list does not include cases previously assigned hearing dates for which parties of record have received notice.

Questions concerning applications for hearing dates should be addressed to the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka 66604-4027, (913) 271-3196 or 271-3146.

Your attention is invited to Kansas Administrative Regulation 82-1-228, "Rules of Practice and Procedure Before the Commission,"

# Applications set for February 23, 1993 Amended Application for Certificate of Convenience and Necessity:

American Courier, Inc. ) Docket No. 183,752 M 440 N. Kansas ) Wichita, KS 67214 ) MC ID No. 145024

Applicant's Attorney: Brad Murphree, 400 N. Wood-lawn, Suite 1, Wichita, KS 67208-4395

Passengers (not to exceed 15 in number including the driver, in any one vehicle or combination of vehicles which are not designed to transport more than 15 passengers, including the driver) and their baggage, in taxi, limousine, special and charter operations; general commodities (except classes A and B explosives, household goods, commodities in bulk, and hazardous materials) the maximum weight of which does not exceed 350 pounds for any one package or parcel, in vehicles having a gross vehicle weight rating or gross combination weight rating of 10,000 or less pounds,

Between all points and places in the state of Kansas.

# Application for Certificate of Convenience and Necessity:

Applicant's Attorney: Clyde Christey, Southwest Plaza Building, Suite 202, 3601 W. 29th, Topeka, KS 66614

Livestock, hay, grain, dry feed ingredients, salt, seeds, dry fertilizer, building and construction materials, fencing materials and machinery (restricted, however, to transport no hazardous materials,)

Between points and places in the state of Kansas.

# Application for Certificate of Convenience and Necessity:

Mark Betzen ) Docket No. 184,313 M Route 2, Box 30A ) Cunningham, KS 67035 ) MC ID No. 146943

Applicant's Attorney: William Barker, 3401 Harrison, Topeka, KS 66611

Grain, feed, feed ingredients, fertilizer, fertilizer ingredients, salt, livestock, building and construction materials and machinery,

Between all points and places in Kansas.

# Application for Certificate of Convenience and Necessity:

Community Feeders Supply,) Docket No. 185,167 M Inc. ) Route 1, Box 12 ) Effingham, KS 66023 ) MC ID No. 127636

Applicant's Attorney: Clyde Christey, Southwest Plaza Building, Suite 202, 3601 W. 29th, Topeka, KS 66614

Hay, grain, dry feed, dry feed ingredients, seeds, salt, fertilizer, building and construction materials, fencing materials and machinery, water tanks, livestock handling equipment (restricted, however, to transport no hazardous materials,

Between all points and places in the state of Kansas. (continued)

Application for Abandonment of **Contract Carrier Permit:** Great Plains Trucking, Inc. ) Docket No. 133,084 M 1601 Dewey Ave. ) MC ID No. 101647 Salina, KS 67401 Applicant's Attorney: None Application for Certificate of Convenience and Necessity: Docket No. 184,314 M James S. Korwin, dba Korwin Trucking 8029 S.W. 96th Sedgwick, KS 67135 ) MC ID No. 146394 Applicant's Attorney: None Grain, dry feed, dry feed ingredients, dry fertilizer (restricted, however, to transport no hazardous materials), Between all points and places in the state of Kansas. Application for Certificate of Convenience and Necessity: Liquid Transporters, Inc. ) Docket No. 185,171 M 1292 Fern Valley Road Louisville, KY 40219 ) MC ID No. 146436 Applicant's Attorney: Joseph Weiler, 2101 S.W. 21st, P.O. Box 237, Topeka, KS 66601-0237 General commodities (except classes A and B explosives and household goods), Between points and places in the state of Kansas. Applications set for March 2, 1993 Application for Abandonment of Certificate of Convenience and Necessity: Don Hagans ) Docket No. 29,848 M P.O. Box 24 Utica, KS 67584 ) MC ID No. 107313 Applicant's Attorney: None Application for Extension of Certificate of Convenience and Necessity: ) Docket No. 25,753 M Isaac Truck Line, Inc. P.O. Box 1315 ) MC ID No. 100143 Dodge City, KS 67801 Applicant's Attorney: Clyde Christey, Southwest Plaza Building, Suite 202, 3601 W. 29th, Topeka, KS 66614 Livestock and general commodities (except household goods, classes A and B explosives and hazardous materials), Between all points and places in the state of Kansas.

# Application for Certificate of Convenience and Necessity:

) Docket No. 184,302 M Massa Cattle Company, Inc. Route 1, Box 27 Mulberry, KS 66756 ) MC ID No. 146652 Applicant's Attorney: William Barker, 3401 Harrison, Topeka, KS 66611

Livestock, grain, feed, feed ingredients, fertilizer, fertilizer ingredients, seed, salt, building and construction materials, and machinery (restricted against the transportation of hazardous materials),

Between all points and places in Kansas.

### Application for Certificate of Convenience and Necessity:

) Docket No. 184,312 M Jay M. Montgomery, dba Jay Montgomery Trucking Route 4, Box 92 ) MC ID No. 146431 Abilene, KS 67410 Applicant's Attorney: None Hay, grain, livestock, farm equipment, Between all points and places in Kansas.

### Application for Abandonment of Certificate of Convenience and Necessity:

) Docket No. 162,617 M Pacific Motor Transport Company 1 Market Plaza ) MC ID No. 119516 San Francisco, CA 94105 Applicant's Attorney: None

### Application for Certificate of Convenience and Necessity:

Docket No. 184,296 M Preisser, Inc. Route 2, Box 35 ) MC ID No. 145039 Cunningham, KS 67035 Applicant's Attorney: Eva Powers, Capitol Tower,

Suite 106, 400 W. 8th, Topeka, KS 66603

General commodities,

Between all points and places within the state of Kansas.

### Application for Abandonment of Certificate of Convenience and Necessity:

Donald W. Schneider, ) Docket No. 147,064 M Jr. dba Schneider Welding & Repair 427 S. Brooklyn ) MC ID No. 122299 Beloit, KS 67420 Applicant's Attorney: None

> Don Carlile Administrator Transportation Division

# Secretary of State

### Usury Rate for February

Pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate executed during the period of February 1, 1993 through February 28, 1993, is 9.20 percent:

Bill Graves Secretary of State

Doc. No. 013011

State of Kansas

# Legislature

# Legislative Bills Introduced

The following numbers and titles of bills and resolutions have been recently introduced by the 1993 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N, State Capitol, Topeka 66612, (913) 296-4096.

# Bills Introduced January 21-27: House Bills

HB 2085, by Representatives Gross, McClure and Mollenkamp: An act concerning low-level radioactive waste; relating to management thereof.

HB 2086, by Committee on Appropriations: An act making and concerning appropriations for the fiscal year ending June 30, 1994, for the state board of agriculture, Kansas animal health department, Kansas state grain inspection department, state fair board, Kansas wheat commission, state conservation commission, Kansas water office and the department of wildlife and parks; authorizing certain transfers and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing.

HB 2087, by Committee on Appropriations: An act making and concerning appropriations for the fiscal year ending June 30, 1993, for the Kansas board of barbering, Kansas dental board, consumer credit commissioner, board of nursing, Kansas real estate commission, office of the securities commissioner of Kansas, department of revenue, department of commerce and housing, department of education, state library, state board of agriculture, Kansas state grain inspection department, department of corrections, Winfield correctional facility, department of social and rehabilitation services, Kansas neurological institute, Parsons state hospital and training center, Larned state hospital, Osawatomie state hospital, Rainbow mental health facility and Topeka state hospital; and authorizing certain transfers and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing; amending section 14 of chapter 204 of the 1992 Session Laws of Kansas and repealing the existing section.

HB 2088, by Committee on Taxation: An act relating to the taxation of recreational vehicles; providing for the levy, administration, enforcement and disposition of revenues therefrom; amending K.S.A. 8-134a and K.S.A. 1992 Supp. 79-5101 and repealing the existing sections; also repealing K.S.A. 1992 Supp. 79-5101a.

HB 2089, by Committee on Transportation: An act amending the vehicle dealers and manufacturers licensing act; relating to financial responsibilities of vehicle dealers; concerning temporary salespersons licenses; amending K.S.A. 8-2401 and 8-2430 and K.S.A. 1992 Supp. 8-2404, 8-2410 and 8-2433 and repealing the existing sections.

HB 2090, by Committee on Taxation: An act concerning the collection of delinquent taxes; authorizing the limited use of debt col-

lection agencies; amending K.S.A. 75-5140 and repealing the existing section.

HB 2091, by Committee on Taxation: An act relating to with-holding and estimated tax; altering the method by which penalties are computed; amending K.S.A. 79-32,107 and repealing the existing section.

HB 2092, by Committee on Taxation: An act relating to income taxation; concerning the computation of Kansas adjusted gross income; amending K.S.A. 1992 Supp. 79-32,117 and repealing the existing section.

HB 2093, by Committee on Taxation: An act concerning confidentiality of tax information; authorizing the disclosure of information for certain limited purposes; amending K.S.A. 75-5133 and K.S.A. 1992 Supp. 79-3234 and repealing the existing sections.

HB 2094, by Representative Sader: An act concerning civil procedure; relating to the disclosure of information; amending K.S.A. 1992 Supp. 60-903 and 60-1616 and repealing the existing sections.

HB 2095, by Committee on Financial Institutions and Insurance: An act concerning group-funded workers compensation pools; amending K.S.A. 44-582, 44-585, 44-589 and 44-592 and K.S.A. 1992 Supp. 40-2109 and repealing the existing sections.

HB 2096, by Committee on Financial Institutions and Insurance: An act relating to accident and health insurance, concerning payment of benefits; amending K.S.A. 1992 Supp. 40-19c06 and repealing the existing section.

HB 2097, by Committee on Judiciary: An act concerning the probate code; relating to docket fees; concerning the length of time an absentee is presumed dead; amending K.S.A. 59-2704 and K.S.A. 1992 Supp. 59-104 and repealing the existing sections.

HB 2098, by Committee on Judiciary: An act concerning civil procedure; relating to service of process; amending K.S.A. 1992 Supp. 60-303 and 60-906 and repealing the existing sections.

HB 2099, by Committee on Judiciary: An act concerning the tort claims act; relating to the definition of community service work; amending K.S.A. 1992 Supp. 75-6102 and repealing the existing section.

HB 2100, by Committee on Judiciary: An act concerning crimes and punishment; relating to obstructing legal process; creating the crime of unlawful sexual relations; amending K.S.A. 21-3808, as amended by section 152 of chapter 239 of the 1992 Session Laws of Kansas and repealing the existing section.

HB 2101, by Committee on Judiciary: An act concerning inheritance rights of children; relating to the termination of parental rights; amending K.S.A. 1992 Supp. 38-1583, 59-2114, 59-2124 and 59-2136 and repealing the existing sections.

HB 2102, by Committee on Local Government: An act concerning emergency medical services; relating to attendants; amending K.S.A. 65-6110, 65-6111, 65-6112, 65-6124 and 65-6149 and K.S.A. 1992 Supp. 80-1557 and repealing the existing sections; also repealing K.S.A. 65-6141, 65-6142, 65-6143, 65-6146 and 65-6147.

HB 2103, by Committee on Local Government: An act concerning emergency medical services; relating to do not resuscitate orders; amending K.S.A. 65-6124 and repealing the existing section.

HB 2104, by Committee on Local Government: An act concerning the emergency medical services board; relating to the powers and duties thereof; amending K.S.A. 65-6111 and repealing the existing section.

HB 2105, by Committee on Local Government: An act concerning townships; relating to the governing body thereof.

HB 2106, by Committee on Agriculture: An act concerning domesticated deer, relating to the production thereof; amending K.S.A. 47-1801 and 65-6a18 and K.S.A. 1992 Supp. 22-4807, 32-701, 32-951, 32-1005, 47-1001, 47-1402 and 47-1804 and repealing the existing sections.

HB 2107, by Committee on Agriculture: An act concerning the Kansas veterinary practice act; amending K.S.A. 47-814, 47-815, 47-816, 47-817, 47-818, 47-819, 47-820, 47-825, 47-829, 47-834, 47-837 and 47-838 and K.S.A. 1992 Supp. 47-821, 47-822, 47-824, 47-826, 47-830 and 47-848 and repealing the existing sections; also repealing K.S.A. 47-818a and K.S.A. 1992 Supp. 47-827.

HB 2108, by Representative Neufeld: An act repealing K.S.A. 65-805, 65-806 and 65-807; relating to bedding labeling and tagging requirements.

HB 2109, by Representative Bowden (by request): An act concerning drainage districts; relating to the cost of enlarging and main(continued)

taining a natural watercourse; amending K.S.A. 24-628 and repealing

the existing section.

HB 2110, by Committee on Public Health and Welfare: An act relating to fee structure for licensing adult care home administrators; amending K.S.A. 65-3502, 65-3503, 65-3504 and 65-3505 and repealing the existing sections.

HB 2111, by Committee on Judiciary: An act concerning boats and boating; relating to certain alcohol and drug-related offenses; amending K.S.A. 1992 Supp. 32-1131 and 32-1132 and repealing the existing

sections.

HB 2112, by Representatives Adkins, Glasscock and Roe and Allen, Benlon, Bishop, Blumenthal, Boston, Bowden, Bradley, Brown, Carmody, Cornfield, Cox, Dawson, Dean, Donovan, Empson, Flower, Freeborn, Fuller, Gatlin, Gilbert, Goodwin, Goossen, Gregory, Grotewiel, Haulmark, Hayzlett, Heinemann, Helgerson, Jennison, Kejr, King, Phil Kline, Phill Kline, Lahti, Lane, Lloyd, Mason, Mayans, Mays, Minor, Morrison, Myers, Neufeld, O'Connor, Packer, Pauls, Plummer, Powers, Robinett, Rutledge, Sawyer, Scott, Shallenburger, Shore, M. Smith, Snowbarger, Standifer, Tomlinson, Toplikar, Vickrey, Wagle, Webb, E. Wells, J. Wells, Welshimer and Wilk: An act concerning crimes and punishment; creating the crime of carjacking; relating to robbery; amending K.S.A. 21-3426, as amended by section 16 of chapter 298 of the 1992 Session Laws of Kansas and repealing the existing section; also repealing K.S.A 21-3426, as amended by section 65 of chapter 239 of the 1992 Session Laws of Kansas.

HB 2113, by Committee on Public Health and Welfare: An act concerning physical therapy; providing physical therapy treatment; amending K.S.A. 65-2901, 65-2912 and 65-2913 and repealing the

existing sections.

HB 2114, by Committee on Taxation: An act relating to sales taxation; concerning the treatment of contractors, subcontractors and repairmen for retailers' retail sales tax purposes; amending K.S.A. 1992 Supp. 79-3602 and repealing the existing section; also repealing K.S.A. 1992 Supp. 79-3602a and 79-3602b.

HB 2115, by Representative King: An act concerning consumer protection; health spas; amending K.S.A. 1992 Supp. 50-624 and

repealing the existing section.

HB 2116, by Committee on Labor and Industry: An act concerning the workers compensation act; relating to administration thereof and appeals of decisions and awards thereunder; establishing the workers compensation board; prescribing powers, duties and functions of the board; amending K.S.A. 44-525, 44-532a, 44-549, 44-553, 44-554, 44-557, 44-569, 44-569a, 44-577 and 75-5708 and K.S.A. 1992 Supp. 44-508, 44-510, 44-510b, 44-510c, 44-510d, 44-510g, 44-511, 44-512, 44-512b, 44-523, 44-528, 44-534a, 44-551, 44-552, 44-555, 44-556, 44-566a, 44-567 and 44-5a04 and repealing the existing sections; also repealing K.S.A. 1992 Supp. 44-566b.

HB 2117, by Representative Bruns: An act concerning pharmacies

and pharmacists; freedom of choice.

HB 2118, by Committee on Public Health and Welfare: An act relating to food service establishments and lodging establishments; amending K.S.A. 36-503, 36-505 and 36-508 and repealing the ex-

HB 2119, by Committee on Public Health and Welfare: An act concerning abuse, neglect and exploitation of certain persons; amending K.S.A. 1992 Supp. 39-1401, 39-1402, 39-1404, 39-1430, 39-1431, 39-1433, 39-1435 and 39-1440 and repealing the existing sections.

HB 2120, by Committee on Labor and Industry: An act concerning the workers compensation act; relating to liability of the workers compensation fund; requirements for impleader; assessment of attorney fees; amending K.S.A. 1992 Supp. 44-566a and repealing the existing section; also repealing K.S.A. 1992 Supp. 44-566b.

HB 2121, by Committee on Labor and Industry: An act concerning the workers compensation act; requiring preparation and dissemination of certain informational and educational materials; prescribing

certain duties in relation thereto.

HB 2122, by Committee on Appropriations: An act making and concerning appropriations for the fiscal year ending June 30, 1994, for certain capital improvement projects for the state historical society, state fair board, department of social and rehabilitation services, Kansas state school for the blind, Kansas state school for the deaf, department of corrections, Topeka correctional facility, Lansing correctional facility, Ellsworth correctional facility, Norton correctional facility and department of wildlife and parks; authorizing the initiation and completion of certain capital improvement projects; imposing certain requirements, restrictions and limitations and directing or authorizing certain disbursements and acts incidental to the foregoing

HB 2123, by Committee on Transportation: An act concerning vehicle dealers; prohibiting certain vehicle dealers from conducting

motor vehicle sales on Sunday.

HB 2124, by Committee on Federal and State Affairs: An act concerning the Kansas fire prevention code; relating to violations

thereof; providing for certain penalties.

HB 2125, by Committee on Federal and State Affairs: An act repealing K.S.A. 75-52,117, as amended by section 291 of chapter 239 of the 1992 Session Laws of Kansas, relating to prerelease programs and centers.

HB 2126, by Committee on Federal and State Affairs: An act concerning fire safety and prevention; relating to notice of violations; amending K.S.A. 31-150a and repealing the existing section.

HB 2127, by Committee on Federal and State Affairs: An act concerning fire safety and prevention; relating to the state fire mar-

shal; providing for issuance of inspection warrants.

HB 2128, by Committee on Federal and State Affairs: An act concerning benefit funds for persons in state institutions or in legal custody of the secretary of corrections; amending K.S.A. 1992 Supp. 75-3728e and repealing the existing section.

HB 2129, by Committee on Federal and State Affairs: An act concerning corrections; relating to assistance of released inmates; amending K.S.A. 1992 Supp. 75-5211 and repealing the existing

HB 2130, by Committee on Judiciary: An act concerning the courts; relating to the supreme court; amending K.S.A. 20-2616 and 20-3002

and repealing the existing sections.

HB 2131, by Committee on Judiciary: An act concerning crimes and punishment; relating to promoting obscenity; amending K.S.A. 21-4301, as amended by section 210 of chapter 239 of the 1992 Session Laws of Kansas and repealing the existing section.

HB 2132, by Representative O'Neal: An act concerning the mobile home parks residential landlord and tenant act; relating to the duties of the landlord; amending K.S.A. 1992 Supp. 58-25,107 and 58-25,111

and repealing the existing sections.

HB 2133, by Committee on Judiciary: An act concerning alcohol and drug-related offenses involving vehicles; amending K.S.A. 8-255, 8-256, 8-259, 8-286, 8-287, as amended by section 28 of chapter 239 of the 1992 Session Laws of Kansas, 8-288, 8-1001, 8-1002, 8-1005, 8-1011, 8-1012, 8-1013, 8-1014, 8-1567, as amended by section 1 of chapter 298 of the 1992 Session Laws of Kansas, 8-2204, 12-4305, 41-201 and 41-804 and repealing the existing sections; also repealing K.S.A. 8-289, 41-2719 and 41-2720.

HB 2134, by Representative McKechnie: An act concerning governmental organization and elections; providing for election of the secretary of agriculture; advisory state board of agriculture; amending K.S.A. 25-101, 25-101a, 25-101b, 25-213a, 25-4001, 25-4002 and 74-503 and K.S.A. 1992 Supp. 25-213 and repealing the existing sections; also repealing K.S.A. 74-504c.

HB 2135, by Representative Correll: An act concerning the reimbursement to the state general fund from state agencies; relating to the pecan commission; amending K.S.A. 1992 Supp. 75-3170a and repealing the existing section.

HB 2136, by Representative Powers: An act concerning crimes and punishment; relating to smoking in public places; amending K.S.A. 21-4010, 21-4011 and 21-4013 and repealing the existing sections.

HB 2137, by Committee on Financial Institutions and Insurance: An act concerning workers compensation; relating to the assignment of compensation; amending K.S.A. 44-514 and repealing the existing section.

HB 2138, by Committee on Financial Institutions and Insurance: An act relating to group-fund workers compensation pools; reorganization; providing for the transfer of assets, liabilities and fund

HB 2139, by Committee on Financial Institutions and Insurance: An act relating to the Kansas healthy kids program act; exempting from insurance laws; amending K.S.A. 1992 Supp. 40-4403 and repealing the existing section.

HB 2140, by Committee on Federal and State Affairs: An act amending the Kansas civil service act; concerning veterans' preference; amending K.S.A. 75-2955 and repealing the existing section.

HB 2141, by Committee on Public Health and Welfare: An act relating to drinking water treatment units; establishing certain requirements; prohibiting certain acts and providing remedies for violations.

HB 2142, by Representative Weiland: An act concerning gambling; providing procedures for negotiating and entering tribal-state gaming compacts; relating to implementation of such compacts; amending K.S.A. 21-4302 and K.S.A. 1992 Supp. 21-4306 and 21-4307 and repealing the existing sections.

HB 2143, by Representative Heinemann: An act concerning school districts; relating to the purchase of textbooks and workbooks.

HB 2144, by Committee on Agriculture: An act concerning meat and poultry inspection; amending K.S.A. 65-6a27, 65-6a32, 65-6a36 and 65-6a40 and repealing the existing sections.

HB 2145, by Committee on Appropriations: An act concerning corrections; community corrections board; amending K.S.A. 75-5293 and 75-5296 and K.S.A. 1992 Supp. 75-52,111 and repealing the existing sections; also repealing K.S.A. 1992 Supp. 75-52,114.

HB 2146, by Committee on Appropriations: An act concerning the Kansas public employees retirement system; relating to membership eligibility of certain persons in school employment; amending K.S.A. 74-4932 and repealing the existing section.

HB 2147, by Committee on Judiciary: An act concerning the Kansas act against discrimination; amending K.S.A. 1992 Supp. 44-1001, 44-1002, 44-1004 and 44-1009 and repealing the existing sections.

#### **House Concurrent Resolutions**

HCR 5006, A concurrent resolution memorializing Congress to propose, for ratification by the states, a U.S. constitutional amendment authorizing Congress and the states to prohibit desecration of the United States Flag.

HCR 5007, A concurrent resolution revoking 1978 Senate Concurrent Resolution No. 1661 concerning a request to the United States Congress to call a constitutional convention relating to balancing federal financing.

#### Senate Bills

SB 59, by Committee on Energy and Natural Resources: An act relating to agricultural ethyl alcohol; concerning the expiration date for the agricultural ethyl alcohol incentive program; amending K.S.A. 1992 Supp. 79-34,164 and repealing the existing section.

SB 60, by Committee on Governmental Organization: An act concerning standing committees of the senate; amending K.S.A. 12-1771a, 46-1602, 46-1604, 74-4905, as amended by section 1 of chapter 218 of the 1992 Session Laws of Kansas, 74-5001a, 74-5049, 74-5080, 74-8001, 74-8002, 74-8004, 74-8005, 74-8101, 74-8105, 74-8204, 74-8310, 74-8405 and 76-483 and K.S.A. 1992 Supp. 46-1801 and 46-2201 and repealing the existing sections.

SB 61, by Committee on Elections, Congressional and Legislative Apportionment and Governmental Standards: An act relating to governmental ethics; concerning conflicts of interests of state officers and employees; amending K.S.A. 46-235 and repealing the existing section.

SB 62, by Committee on Ways and Means: An act making and concerning appropriations for the fiscal year ending June 30, 1993, for the department of transportation, attorney general, secretary of state, adjutant general, Kansas highway patrol, department of human resources, department of health and environment, Kansas public employees retirement system, department of administration, Kansas state university, Kansas state university redical center, university of Kansas, university of Kansas medical center and state board of regents; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing.

SB 63, by Senator Salisbury (by request): An act relating to sales taxation; concerning the exemption therefrom of prosthetic and orthopedic appliances; amending K.S.A. 1992 Supp. 79-3606 and repealing the existing section.

SB 64, by Committee on Education: An act concerning school districts; relating to amounts authorized to be maintained in contingency reserve funds thereof; amending K.S.A. 72-6426 and repealing the existing section.

SB 65, by Committee on Education: An act concerning school districts; relating to the composition of boards of education; amending K.S.A. 72-7901 and repealing the existing section.

SB 66, by Committee on Education: An act concerning the state school district finance fund; affecting the sources thereof; amending K.S.A. 72-6438 and repealing the existing section.

SB 67, by Committee on Education: An act concerning school finance; affecting the definition of enrollment; defining new school facility; amending K.S.A. 72-6407 and repealing the existing section.

SB 68, by Committee on Education: An act concerning school districts; abolishing technology education funds and providing for disposition of moneys remaining therein; amending K.S.A. 72-3703 and 72-6428 and repealing the existing sections.

SB 69, by Senators Martin and Rock: An act relating to property taxation; prescribing limitations upon authority of cities and counties

to grant certain property tax exemptions.

SB 70, by Committee on Financial Institutions and Insurance: An act concerning health care providers; peer review; privileged information; amending K.S.A. 65-4915 and repealing the existing section.

SB 71, by Committee on Agriculture: An act concerning grain storage; relating to warehouse bonding and receipts; amending K.S.A 34-240 and K.S.A. 1992 Supp. 34-229 and repealing the existing sections.

SB 72, by Committee on Agriculture: An act creating the dairy marketing advisory board; relating to the powers, duties and func-

tions thereof; relating to milk marketing orders.

SB 73, by Committee on Commerce: An act relating to economic development; providing business assistance and income and sales tax incentives for certain qualified firms; amending K.S.A. 74-50,115 and 74-8104 and K.S.A. 1992 Supp. 79-3279 and 79-32,160a and repealing the existing section.

SB 74, by Committee on Energy and Natural Resources: An act concerning the time of remittance of the tax imposed upon the sale of new tires; amending K.S.A. 65-3424d and repealing the existing section

SB 75, by Committee on Education: An act concerning teachers; relating to nonrenewal or termination of contracts of employment; requiring adoption of professional improvement policies by boards; amending K.S.A. 72-5436, 72-5438 and 72-5445, and repealing the existing sections.

SB 76, by Committee on Commerce: An act concerning the Kansas venture capital company act; extending its duration; amending K.S.A. 74-8304 and repealing the existing section.

SB 77, by Committee on Commerce: An act concerning the office of minority business; providing for a name change; amending K.S.A. 74-5010a and repealing the existing section.

SB 78, by Committee on Federal and State Affairs: An act amending the Kansas parimutuel racing act; relating to the tax on amounts wagered; amending K.S.A. 74-8823 and repealing the existing section; also repealing K.S.A. 74-8823a.

SB 79, by Senators Karr and Corbin: An act concerning aquaculture; advisory council membership; purpose and use of aquaculture fund; amending K.S.A. 1992 Supp. 47-1903 and 47-1905 and re-

pealing the existing sections.

SB 80, by Senators Petty, Hensley and Salisbury: An act relating to Washburn university of Topeka; establishing Washburn university as a separate state educational institution under the control and supervision of the state board of regents; providing for the conveyance of property to the state board of regents; authorizing and requiring certain tax levies and disbursement thereof; providing for retirement of the bonded indebtedness of Washburn university of Topeka; providing for the disposition and management of certain endowment property of Washburn university of Topeka; and establishing a board of trustees for the university and prescribing its composition, powers, rights and authority; amending K.S.A. 74-3209, 74-3210a, 74-3229, 74-4925, 75-4101, 75-5501, 76-719 and 79-2961 and K.S.A. 1992 Supp. 75-3731, 75-3732, 75-3765, 75-4503, 76-156a, 76-6a01, 76-711, 76-751, 76-754 and 76-756 and repealing the existing sections; also repealing K.S.A. 13-13a03, 13-13a04, 13-13a05, 13-13a06, 13-13a08, 13-13a09, 13-13a11, 13-13a12, 13-13a13, 13-13a14, 13-13a16, 13-13a17, 13-13a18, 13-13a19, 13-13a20, 13-13a20a, 13-13a21, 13-13a23, 13-13a24, 13-13a25, 13-13a26, 13-13a27, 13-13a28, 13-13a29, 13-13a30, 13-13a31, 13-13a32, 13-13a33, 13-13a34, 13-13a35, 13-13a36, 13-13a37, 72-6501, 72-6502, 72-6503, 72-6504, 72-6505, 72-6506, 72-6507, 72-6508 and 72-6509.

SB 81, by Committee on Federal and State Affairs: An act concerning bingo; providing for administrative fines for certain violations.

(continued)

SB 82, by Committee on Federal and State Affairs: An act concerning alcoholic beverages; relating certain violations involving persons under 21 years of age; amending K.S.A. 1992 Supp. 21-3610, 21-3610a and 41-2615 and repealing the existing sections.

SB 83, by Committee on Public Health and Welfare: An act concerning embalmer license; state board of mortuary arts; amending K.S.A. 65-1701a and 65-1710 and repealing the existing sections.

SB 84, by Committee on Public Health and Welfare: An act concerning the pharmacy act of the state of Kansas; civil penalties for violations; amending K.S.A. 65-1656 and 65-1657 and repealing the existing sections.

SB 85, by Senators Karr, Walker and Wisdom: An act providing for the election of the state board of agriculture; amending K.S.A. 25-101, 25-212, 25-611, 25-1116, 25-1118, 25-2503, 25-2505, 25-3903, 25-4304 and 74-503 and K.S.A. 1992 Supp. 25-213, 25-617, 25-3902a, 25-3904a, 25-3905, 25-3906, 25-4119f and 25-4153 and repealing the existing sections; also repealing K.S.A. 74-504c.

SB 86, by Committee on Commerce: An act relating to county roads and bridges; requiring the filing of project cost estimates and reports; amending K.S.A. 68-520 and 68-1116 and repealing the ex-

isting sections.

SB 87, by Committee on Ways and Means: An act making and concerning appropriations for the fiscal year ending June 30, 1994, and authorizing certain financing, for certain capital improvement projects for the insurance department, department of administration, Fort Hays state university, Kansas state university, Kansas state university-Salina, college of technology, Emporia state university, Pittsburg state university, university of Kansas, university of Kansas medical center, Wichita state university, state board of regents, department of human resources, Kansas commission on veterans affairs, adjutant general, attorney general—Kansas bureau of investigation and youth center at Beloit; authorizing the initiation and completion of certain capital improvement projects; and directing or authorizing certain disbursements and acts incidental to the

SB 88, by Committee on Local Government: An act concerning municipal courts; changing the name of the municipal judge training fund; amending K.S.A. 1992 Supp. 12-4116 and repealing the existing

section; also repealing K.S.A. 1992 Supp. 12-4116a.

SB 89, by Committee on Local Government: An act concerning cities of the third class; relating to vacancies in certain offices; amending K.S.A. 15-311 and repealing the existing section.

SB 90, by Committee on Local Government: An act concerning the movement of buildings and structures; relating to application fees; amending K.S.A. 17-1915 and repealing the existing section.

SB 91, by Committee on Local Government: An act concerning counties; relating to the limitations of the home rule powers thereof; amending K.S.A. 1992 Supp. 19-101a and repealing the existing section; also repealing K.S.A. 1992 Supp. 19-101g.

SB 92, by Senator Sallee: An act concerning infectious diseases;

relating to immunization of children by physicians.

SB 93, by Senators Ramirez, Frahm and Oleen: An act concerning general contractors, building contractors and residential contractors; examinations; amending K.S.A. 1992 Supp. 12-1556 and repealing the existing section.

SB 94, by Senators Oleen, Hardenburger and Karr. An act authorizing the state board of regents to sell certain real property on behalf of Kansas state university; imposing certain conditions; prescribing disposition of the proceeds.

SB 95, by Senator Morris: An act concerning regulation of private employment agencies; excluding certain computerized database reports; amending K.S.A. 44-401 and repealing the existing section.

SB 96, by Senators Langworthy, Bogina, Bond, Burke, Corbin, Downey, Emert, Feleciano, Frahm, Gooch, Hardenburger, Harris, Hensley, Jones, Karr, Kerr, Lawrence, Lee, Martin, Moran, Morris, Oleen, Parkinson, Papay, Petty, Praeger, Ramirez, Ranson, Reynolds, Rock, Salisbury, Sallee, Steffes, Tiahrt, Tillotson, Vancrum, Vidricksen, Walker and Wisdom: An act concerning volunteer work by certain state employees; authorizing disaster service volunteer

SB 97, by Committee on Assessment and Taxation: An act relating to property taxation; concerning the performance of a real estate ratio study; amending K.S.A. 1992 Supp. 79-1488 and repealing the

SB 98, by Committee on Assessment and Taxation: An act relating to property taxation; concerning the filing of certain sales validation questionnaires; amending K.S.A. 79-5a08 and repealing the existing

SB 99, by Committee on Assessment and Taxation: An act relating to sales taxation; exempting certain farm machinery and equipment therefrom; amending K.S.A. 1992 Supp. 79-3606 and repealing the existing section.

SB 100, by Committee on Education: An act concerning school districts; relating to entitlements from the school district capital improvements fund; amending K.S.A. 1992 Supp. 75-2319 and re-

pealing the existing section.

SB 101, by Committee on Education: An act concerning school districts; relating to certain fees and charges; providing for disposition of certain revenues; amending K.S.A. 72-1046a, 72-5390, 72-6410, 72-6622, 72-6757, 72-8223 and 72-8316 and repealing the existing

SB 102, by Committee on Education: An act concerning school districts; relating to local option budgets; invalidating certain resolutions and elections; amending K.S.A. 72-6433 and repealing the

existing section.

SB 103, by Committee on Elections, Congressional and Legislative Apportionment and Governmental Standards: An act concerning county commissioners; relating to filling vacancies in the office thereof; amending K.S.A. 1992 Supp. 19-203 and repealing the existing section.

SB 104, by Committee on Financial Institutions and Insurance: An act concerning banks and banking; ownership limitations; amending

K.S.A. 9-520 and repealing the existing section.

SB 105, by Committee on Financial Institutions and Insurance: An act concerning the uniform commercial code; filing requirements for • secured transactions; amending K.S.A. 1992 Supp. 84-9-402, 84-9-403, 84-9-405, 84-9-406 and 84-9-407 and repealing the existing sections.

SB 106, by Committee on Energy and Natural Resources: An act amending the Kansas storage tank act; amending K.S.A. 65-34,123

and repealing the existing section.

SB 107, by Committee on Energy and Natural Resources: An act relating to water pollution; concerning intervention in legal action relating thereto; amending K.S.A. 65-170e and repealing the existing

SB 108, by Committee on Judiciary: An act relating to the Kansas limited liability company act; amending K.S.A. 1992 Supp. 17-7609, 17-7614, 17-7615, 17-7616, 17-7619, 17-7634, 17-7637 and 17-7646 and

repealing the existing sections.

SB 109, by Committee on Assessment and Taxation: An act relating to taxation; concerning the filing of bonds; amending K.S.A. 79-3294b, 79-3616 and 79-4105 and K.S.A. 1992 Supp. 79-41a03 and repealing the existing sections.

SB 110, by Committee on Assessment and Taxation: An act supplementing the Kansas withholding and declaration of estimated tax

act; concerning duties and liability of a purchaser of a business. SB 111, by Committee on Federal and State Affairs: An act amending the Kansas lottery act; relating to transfers to the state gaming revenues fund; amending K.S.A. 74-8711 and repealing the existing

SB 112, by Senators Hensley, Jones, Ramirez, Sallee and Wisdom: An act concerning public works projects for state agencies; prescribing payment of minimum wages for work thereon and preferences for certain employees to work thereon.

#### Senate Resolutions

SR 1804, A resolution congratulating and commending Christie Allen for winning three NCAA Division II National Championships in cross country competitions.

SR 1805, A resolution congratulating and commending Ronald Moore for being selected the 1992 Harlon Hill Trophy winner as the

NCAA Division II Football Player of the Year.

SR 1806, A resolution congratulating and commending Chuck Broyles on being named the 1992 MIAA and Kodak/AFCA College Division I District IV Football Coach of the Year.

SR 1807, A resolution congratulating and commending Tom Valverde for his AIDS community service volunteer activities.

SR 1808, A resolution in memory of Forrest A. Stamper. SR 1809, A resolution in memory of Guy E. Gibson, Jr.

SR 1810, A resolution adopting rules for the Senate of the State of Kansas for the terms of the Senators commencing with the 1993 regular session of the Legislature.

# Department of Health and Environment

# Permanent Administrative Regulations

# Article 24.—SANITARY REGULATIONS FOR COSMETOLOGISTS

(Editor's Note: The following regulation was inadvertently omitted from publication in the November 19, 1992 Kansas Register.)

**28-24-3.** Infectious disease. (a) No person afflicted with an infectious or communicable disease, which may be transmitted during the performance of the acts of cosmetology shall be permitted to work or train in a school or establishment.

(b) No school or establishment shall require or permit a student or licensee, knowingly, to work upon a person suffering from any infectious or communicable disease which may be transmitted during the performance of the acts of cosmetology.

(c) Unused disposable gloves shall be worn by a student or licensee if there is a likelihood of exposure to blood or body fluids while working. (Authorized by and implementing K.S.A. 1991 Supp. 65-1,148, effective Jan. 4, 1993.)

Robert C. Harder Secretary of Health and Environment

State of Kansas

# **State Corporation Commission**

# Permanent Administrative Regulations

# Article 1.—RULES OF PRACTICE AND PROCEDURE

**82-1-228.** Hearings. (a) General provisions. Public hearings shall be held in the hearing rooms of the commission, in any district courtroom, at such other place in Kansas as the commission may deem appropriate or at any place required by statute. All hearings before the commission shall be conducted by the commission or by a presiding officer who may be a commissioner, a hearing examiner or any other person duly authorized by the commission to conduct the hearing. The provisions of these rules governing hearings before the commission shall be applicable to hearings conducted by such a presiding officer.

(b) Convening of hearings. On the date and at the place and time stated in the notice of the hearing, the presiding officer conducting the hearing shall call the docket by announcing the docket number and by reading the caption of the case into the record. Commission hearings shall be opened in a formal way on each day upon which commission business is transacted.

(c) Scope of hearing. The presiding officer may make a concise statement of the scope and the purpose of the hearing and the issues involved therein at the beginning of the hearing.

(d) Appearances. Each attorney for a party, and any other representative authorized by the commission pursuant to paragraph (3) of this subsection, shall enter an appearance by giving the attorney or representative's name and address for the record.

(1) Except as otherwise provided in paragraph (2) of

this subsection, any party may:

(A) appear before the commission and be heard in

person and in that party's own behalf;

(B) appear and be represented by an attorney who is a resident of Kansas and regularly admitted to practice in the courts of record of the state of Kansas; or

(C) appear and be represented by any regularly admitted practicing attorney in the courts of record of another state of the United States, provided such non-resident attorney complies with the requirements set forth in K.S.A. 7-104. The local counsel shall first enter the local counsel's own appearance and shall then orally move for the admission of the nonresident attorney with whom local counsel is associated.

(2) Except as otherwise provided in paragraph (3) of this subsection, a corporation shall not be permitted to enter an appearance, except by its attorney.

(3) In any intrastate railroad proceeding brought pursuant to the Staggers Rail Act of 1980 which comes before the commission, a resident of the state of Kansas who is not an attorney-at-law may represent a party before the commission if:

(A) the person is a duly registered interstate commerce commission class B practitioner who is representing the person's permanent employer or is a duly elected officer of a union representing a group of em-

ployees of a railroad; and

(B) the person has obtained approval of the commission to appear as a representative upon a motion. The motion shall include the individual's qualifications, the name of the party and the proceeding in which

the individual wishes to appear.

- (e) Preliminary matters. After the calling of the docket, the statement of the scope and purpose of the hearing, and the entries of the appearances of attorneys or other representatives for the parties, the oath required by K.S.A. 7-104 shall be administered to the nonresident attorneys by the presiding officer. Thereafter, an oral order admitting them as attorneys or representatives in the proceeding then pending shall be made by the presiding officer, and they shall enter their appearances on the record. Thereafter, the following matters shall be disposed of in the following order:
  - petitions for intervention;

(2) any other pending petitions or motions;

(3) stipulations of the parties whereby parties may make written or oral stipulations in conformance with these regulations, and stipulations of facts shall be regarded as evidence at the hearing. Stipulations shall not be binding upon the commission; and

(4) opening statements of attorneys or other representatives for the parties. Opening statements, if any, shall be made immediately prior to the introduction of

testimony.

(continued)

(f) Hearing room conduct. (1) The conduct of attorneys and other representatives during a hearing shall be the same as the conduct required of attorneys in the district courts of Kansas, so as to reflect respect for the dignity and authority of the applicable facts and the correct principles of law. Attorneys and other representatives shall examine witnesses from a position at the counsel table, except when handling exhibits. Anyone whose conduct before the commission is deemed inappropriate may be refused permission to appear by the commission.

(2) Smoking shall not be permitted on commission

premises.

(3) The use of photographic equipment or recording devices shall not be prohibited during hearings, except that the presiding officer may regulate the use of such equipment or devices so as to insure the orderly conduct of the proceedings. (Authorized by and implementing K.S.A. 1991 Supp. 55-604, K.S.A. 55-704, 66-103, 66-106; K.S.A. 1991 Supp. 66-165; effective Jan. 1, 1966; amended Feb. 15, 1977; amended, T-83-12, June 9, 1982; amended May 1, 1983; amended July 23, 1990; amended March 22, 1993.)

**82-1-232.** Orders of the commission. Orders of the state corporation commission shall conform to the following rules. (a) Form and content. Each order of the commission shall contain:

(1) A caption which shall comply with the requirements of subsection (a)(1) of K.A.R. 82-1-219 except that the heading shall be "THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS" which shall be followed by a designation of the commissioners to whom the matter was submitted.

(2) A recitation of the appearances, whether by attorney or pro se, and a summary of jurisdictional facts including those pertaining to dates and places of hear-

ings and notices thereof.

(3) A concise and specific statement of the relevant law and basic facts which persuade the commission in arriving at its decision.

(4) The official signature of the commission, as pro-

vided in this rule.

- (5) The surnames of the commissioners who participated in the making of the order typed at the end of the order.
- (6) The date of mailing to the parties shown above the executive director's signature.

(b) Orders issued without a hearing.

(1) Non-Kansas Administrative Procedure Act proceeding. When the commission renders an order or decision on any matter without holding a hearing, any public utility, person or corporation affected by the order or decision and deeming it to be improper, unreasonable or contrary to law, may apply, by petition, for a hearing on the matter before the commission. The petition shall contain a statement of every ground of objection which the petitioner will raise against the decision or order. The petition for a hearing may be granted or denied by the commission, and if a hearing is granted it shall be subject to these rules. If a hearing is denied, the denial shall be construed as a denial of a petition for reconsideration on the matter for pur-

poses of an application for judicial review of the order or decision.

(2) Kansas Administrative Procedure Ac

proceeding.

(A) Orders issued in summary proceedings pursuant to the Kansas administrative procedure act. Any order issued in a summary proceeding shall disclose that any party may file a petition requesting a hearing within 15 days after service of an order.

(B) Interim emergency orders. (i) Interim emergency orders may be issued by the commission upon its own initiative, or upon a request, when there has been a

showing of good cause.

(ii) An interim order may be issued by any commissioner and all parties affected by the order shall comply, except that as soon as possible after the order is issued, the order shall be approved or revoked by a majority of the commission.

(iii) Unless a different period of time is otherwise specified by statute, an interim order shall not be effective for a period longer than 30 days if the order is issued without a hearing on the merits of the issues

determined by the order.

- (c) Official signature of the commission. All orders, certificates, permissions, approvals, licenses, permits, warrants, subpoenas, or any process or instrument may be officially signed with the signature of the commission by subscribing thereto the signature of the executive director of the commission and affixing thereto the official seal of the commission. All orders or other instruments made and issued by the commission shall be in strict conformance with the action of the commission as shown by the official written minutes of the commission, signed by at least two commissioners, with the exception of orders suspending or cancelling the authority of a motor carrier for failure to maintain proof of insurance as required by K.S.A. 66-1,128. Orders suspending or cancelling the authority of a motor carrier or reinstating the carrier for providing proof of insurance shall require the signature of one commissioner on the minutes, until signatures of the other two commissioners may be obtained.
- (d) Filing, effective date. All orders of the commission shall be filed in the office of the commission in Topeka. Orders shall take effect and be in force upon service thereof, as prescribed by K.A.R. 82-1-216, unless otherwise expressly provided in the order or by statute.
- (e) Dating of orders. The date of mailing of each order of the commission shall be shown on each order by the executive director above the official signature of the commission, except that orders which are mailed from the office of the commission's conservation division shall have the date of mailing shown on each order by the administrator of the conservation division. (Authorized by and implementing K.S.A. 1991 Supp. 55-604, K.S.A. 55-704, 66-106; effective Jan. 1, 1966; amended Jan. 1, 1971; amended Feb. 15, 1977; amended July 23, 1990; amended March 22, 1993.)

Judith McConnell Executive Director

# State Banking Board

#### Notice of Meeting

The State Banking Board will meet at 9 a.m. Monday, February 22, in the conference room of the Office of the State Bank Commissioner, Suite 300, Jayhawk Tower, 700 S.W. Jackson, Topeka. The board reviews matters relating to its supervisory authority set forth in K.S.A. 9-1801 et seq.

> Frank D. Dunnick State Bank Commissioner

Doc. No. 013017

State of Kansas

# Kansas Public Employees **Retirement System**

### Temporary Administrative Regulations

#### Article 8.—BOARD ELECTION

80-8-1. Definitions. (a) "Board" means the board of trustees of the Kansas public employees retirement system (KPERS).

(b) "Executive Secretary" means the executive secretary of the Kansas public employees retirement sys-

tem (KPERS).

(c) "Member" means an active or retired member of

the system.

- (d) "System" means the Kansas public employees retirement system (KPERS), the Kansas police and firemen's retirement system, and the retirement system for judges. (Authorized by K.S.A. 1991 Supp. 74-4909, as amended by L. 1992, ch. 218, sec. 6; implementing K.S.A. 74-4905, as amended by L. 1992, ch. 218, sec. 1; effective, T-80-1-22-93, Jan. 22, 1993.)
- **80-8-2.** Nominations. Any member who desires to be a candidate for election to the board may have the member's name placed on the ballot by submitting a petition to the board which meets the following conditions.
- (a) Each petition shall be accompanied by the signatures of at least 50 members of the system who desire to have the petitioner's name on the ballot. Each signature shall include the signor's social security number. The signature of each active member shall include the name of the member's current employer. The signature of each retired member shall include the name of the signor's employer at the time of retirement. The petition shall be in a form provided by the system.

(b) Each petition shall be submitted together with the petitioner's resume of qualifications. The resume shall be limited to 150 words and contain only biographical data. The petitioner's views on issues and other election comments shall not be permitted. The resume shall be in a form provided by the board.

(c) The executive secretary shall verify each petitioner's membership in the system and the signature and membership of at least 50 of the signors of each

petition.

(d) The notice to submit petitions shall be published in the system's newsletter, KPERS PAPERS, shall announce the forthcoming election, and shall contain such other information as the executive secretary may deem appropriate.

(e) Each petition shall be received in the system's office on or before March 15 at 5:00 p.m. and shall be verified only for the following election announced in

KPERS PAPERS.

(f) When there is only one nomination for a vacancy, the candidate shall be declared to be elected to the board at the April meeting.

(g) System employees shall not be nominated and shall not stand for election to the KPERS board of

trustees.

(h) School members may only nominate and vote for school members. Non-school members may only nominate and vote for non-school members. (Authorized by K.S.A. 1991 Supp. 74-4909, as amended by L. 1992, ch. 218, sec. 6; implementing K.S.A. 74-4905, as amended by L. 1992, ch. 218, sec. 1; effective, T-80-1-22-93, Jan. 22, 1993.)

**80-8-3.** Ballot. (a) Contents.

(1) Ballots shall be prepared by the executive sec-

(A) List in alphabetical sequence the names of the

candidates; and

(B) contain a resume of not more than 150 words

of the qualifications of each candidate.

(2) Separate ballots shall be prepared for the school board positions and non-school board positions, if necessary.

(b) Distribution.

- (1) A ballot shall be distributed to each member, together with a postage guaranteed return envelope, in April of the calendar year in which the term of an elected trustee expires. Active member ballots shall be distributed through the employers' designated agents. Retired member ballots shall be distributed by mail.
- (2) The system shall maintain a listing of the names and social security numbers of each member to whom a ballot was sent.

(c) Return.

- (1) Each member shall have 15 days from the date of the distribution of the ballot to return the member's ballot. The postmark date on the return envelope shall determine whether the ballot has been returned within the prescribed period. The system shall date stamp all envelopes which are hand delivered, not post-marked or received by the system after the last day for the return of ballots.
- (2) All ballots received after the time prescribed for the return of ballots shall be kept separately for inspection and disposition by the election committee.

(3) The system shall keep a daily record of the num-

ber of ballots received.

(d) Tallying.

(1) The system may tally the number of ballots no earlier than four days after the last day for the return of ballots by mail.

(2) Votes shall not be counted for write-in candidates. Ballots where the number of votes exceeds the number of positions available shall not be counted. No ballot containing an erasure shall be counted. Ballots are to be marked pursuant to the instructions contained on the ballot or as provided by the system. The election committee shall be the sole judge as to the validity of any questionable ballot.

(3) All ballots which have been tallied shall be held by the system for a period of at least 30 days following the day when the last successful candidate takes office.

(4) A recount of an election may be ordered by the board when the election plurality of the winning candidate over the candidate with the next highest number of votes is less than one percent of the total number of votes cast for all candidates contesting for the vacancy.

(5) Any candidate may request a recount, providing such candidate pays the total cost of the recount in advance. (Authorized by K.S.A. 1991 Supp. 74-4909, as amended by L. 1992, ch. 218, sec. 6; implementing K.S.A. 74-4905, as amended by L. 1992, ch. 218, sec. 1; effective, T-80-1-22-93, Jan. 22, 1993.)

80-8-4. Election Committee. The executive secretary shall appoint an election committee of three members who shall supervise the opening and tallying of ballots and shall, upon completion of the tally, certify to the board the results of the election. The election committee shall also supervise the tallying of ballots for any recount. (Authorized by K.S.A. 1991 Supp. 74-4909, as amended by L. 1992, ch. 218, sec. 6; implementing K.S.A. 74-4905, as amended by L. 1992, ch. 218, sec. 1; effective, T-80-1-22-93, Jan. 22, 1993.)

80-8-5. Certification. Upon receipt of the certified results of the election from the election committee, the board shall declare as elected the person receiving the highest number of votes for each vacancy. (Authorized by K.S.A. 1991 Supp. 74-4909, as amended by L. 1992, ch. 218, sec. 6; implementing K.S.A. 74-4905, as amended by L. 1992, ch. 218, sec. 1; effective, T-80-1-22-93, Jan. 22, 1993.)

**80-8-6.** Time Computation. In computing any period of time, the day of the act, event or default after which the designated period of time begins to run shall not be included. The last day of the period shall be included unless it is a Saturday, Sunday or holiday, in which case the last day shall be the next day following the Saturday, Sunday or holiday. (Authorized by K.S.A. 1991 Supp. 74-4909, as amended by L. 1992, ch. 218, sec. 6; implementing K.S.A. 74-4905, as amended by L. 1992, ch. 218, sec. 1; effective, T-80-1-22-93, Jan. 22, 1993.)

**80-8-7.** Vacancy. In the case of a trustee elected by the members, the vacancy may be filled for the unexpired term by the appointment of a member by the remaining trustees of the board of trustees. (Authorized by K.S.A. 1991 Supp. 74-4909, as amended by L. 1992, ch. 218, sec. 6; implementing K.S.A. 74-4905, as amended by L. 1992, ch. 218, sec. 1; effective, T-80-1-22-93, Jan. 22, 1993.)

Meredith Williams Executive Secretary

Doc. No. 013006

State of Kansas

# Pooled Money Investment Board

#### Notice of Meeting

The Pooled Money Investment Board will meet at 2 p.m. Wednesday, February 10, in Conference Room 203, Landon State Office Building, 900 S.W. Jackson, Topeka. All meetings of the board are open to the public. For more information, contact Diane Gates at (913) 296-3372.

Sally Thompson Chairman

Doc. No. 013019

State of Kansas

# Real Estate Appraisal Board

# Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 9 a.m. Thursday, March 18, in Room PL 204 of the Federal Building, 444 S.E. Quincy, Topeka, to consider the adoption of proposed amendments to regulations 117-1-1, 117-2-1, 117-2-4, 117-3-1, 117-4-1, 117-4-4, 117-6-1, 117-6-2 and 117-8-1.

This 30-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to the hearing to the Kansas Real Estate Appraisal Board, Room 501, Landon State Office Building, 900 S.W. Jackson, Topeka 66612-1220. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

These regulations are proposed for adoption on a permanent basis. A summary of the proposed regulations and their economic impact follows.

117-1-1. Definitions. Amended to define "appraisal foundation" and to further define "classroom hour."

117-2-1. Licensed classification; education requirements.

117-2-4. Licensed classification; scope of practices. Amended to further define the scope of practice for the licensed classification.

117-3-1. General classification; education requirements.

117-4-1. Residential classification; education requirements. The amendments allow correspondence courses and video and remote TV education offerings to be approved under certain conditions.

117-4-4. Residential classification; scope of practice. Amended to further define the scope of practice for

the residential classification.

117-6-1. Continuing education; renewal requirements. Amended to allow an appraiser who receives credit for a course to apply toward a higher classifi-

cation to also receive continuing education credit for the course.

117-6-2. Continuing education; approval of courses; requirements. Amended to allow correspondence courses to be approved for continuing education credit under certain conditions.

117-8-1. Uniform standards of professional appraisal practice. Amended to reference standards promulgated by appraisal standards board.

There is no anticipated fiscal impact on other governmental units, private citizens and consumers and no anticipated costs to either state agencies or licensed or certified appraisers as a result of the regulations.

Copies of the regulations and their economic impact statement may be obtained from the Kansas Real Estate Appraisal Board at the address above, (913) 296-0706.

> Jean Duncan Administrative Officer

Doc. No. 013000

State of Kansas

# Department of Administration Division of Purchases

#### Notice to Bidders

Sealed bids for items hereinafter listed will be received by the Director of Purchases, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, until 2 p.m. C.S.T. on the date indicated, and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

#### Tuesday, February 16, 1993 27388-Supp.

Statewide—Gloves, packs and trays (Class 06), supplemental items

29442

Wichita State University—Surface and base mix asphalt

29443

Statewide—Refrigerant

29444

Department of Commerce and Housing— Decoration services, Wichita

29448

Department of Wildlife and Parks—Agricultural lease, Glen Elder

94971

Kansas State Fair—Furnish and install power line system

94994

Department of Administration/Central Motor Pool—Automobiles

Wednesday, February 17, 1993

29439

Kansas State University—Diplomas and diploma covers

29445

Statewide—Cereal, cooked and baby

29450

University of Kansas—Frozen foods

94982

Department of Transportation—Bituminous plant mix (District 4), various locations

94983

University of Kansas—Color graphics workstation 94988

Department of Administration/Central Motor Pool—Automobiles

94989

University of Kansas—Locksets and exit devices 94995

University of Kansas Medical Center— Miscellaneous kitchen equipment

Thursday, February 18, 1993

A-7085

University of Kansas—Reroof Oliver Hall, Phase II 29447

Statewide—Wiping rags

29449

University of Kansas-Miscellaneous groceries

Friday, February 19, 1993

95001

Kansas Correctional Industries—Quilted nylon fabric

95002

Fort Hays State University—Carpet

95003

Kansas Wheat Commission—Video production

Tuesday, February 23, 1992

Department of Health and Environment— Reclamation project, East Quincy, Crawford County

Tuesday, March 2, 1993

29446

Statewide (except Department of Transportation)—Automobile liability insurance

Friday, March 5, 1993

29440

Department of Revenue—Furnish and install security alarm systems, various locations

Request for Proposals Thursday, February 18, 1993 95000

The Kansas Department of Transportation seeks to hire bond underwriter(s) to assist in the marketing and sale of up to \$515,000,000 of the remaining authorized special tax revenue bonds to fund various highway needs of the state.

Jack R. Shipman Director of Purchases

# **Attorney General**

### Opinion No. 93-2

Courts—Retirement System for Justices and Judges—Retirement Annuity; Computation. Meredith Williams, Executive Secretary, Kansas Public Employees Retirement System, Topeka, January 19, 1993.

The modifications set forth in L. 1975, ch. 190, § 9 and L. 1987, ch. 299, § 5 to the retirement system for judges are permissible. The retirement benefits of judges who were members of the system prior to July 1, 1975, but who did not retire until after July 1, 1975, are to be based upon the final average salary as determined pursuant to the formula set forth in K.S.A. 20-2610. Cited herein: K.S.A. 20-2601; 20-2601a; 20-2601b; K.S.A. 1991 Supp. 20-2603; K.S.A. 20-2609; 20-2610; L. 1974, ch. 143, §§ 1, 2; L. 1974, ch. 390, § 12; L. 1975, ch. 190, §§ 5, 9, 10; L. 1987, ch. 299, § 5. RDS

#### Opinion No. 93-3

Cities of the First Class; Government by Mayor and Council and General Laws—Hospital—Addition of Medical Office Building to City Hospital; Public Building. Senator Bill Brady, 14th District, Parsons; Representative Jim D. Garner, 11th District, Coffeyville, January 19, 1993.

A city is authorized to construct a medical office building as an addition to its hospital pursuant to K.S.A. 13-14b01 *et seq.* Alternatively, a medical office building is a "public building" pursuant to K.S.A. 12-1736. Cited herein: K.S.A. 12-1736; 13-14b01; 13-14b15; 13-14b08; K.S.A. 1991 Supp. 77-201. MF

### Opinion No. 93-4

Public Health—Maternity Hospitals or Homes and Homes for Children—License or Temporary Permit Required; Boarding Home for Children Defined. Senator Jerry Moran, 37th District, Hays, January 19, 1993.

An entity which merely publishes and distributes a list of licensed day care providers is not "finding homes for children in need of day care" as that phrase is used in K.S.A. 65-501 and K.A.R. 28-4-185. Consequently, such an entity is not required to be licensed as a day care referral agency. Cited herein: K.S.A. 65-501; K.S.A. 1991 Supp. 65-504; 65-504; K.A.R. 28-4-185. CN

#### Opinion No. 93-5

State Boards, Commissions and Authorities—Crime Victims Compensation Board; General Provisions—Definitions; Criminally Injurious Conduct; Victim; Personal Injury. C. William Ossman, Chairperson, Crime Victims Compensation Board, Topeka, January 19, 1993.

As used in K.S.A. 1991 Supp. 74-7301, personal injury means an injury affecting one's physical and mental person; an injury giving rise to a personal action at law. Cited herein: K.S.A. 1991 Supp. 74-7301. RDS

## Opinion No. 93-6

Cities and Municipalities—Emergency Telephone Services; Validity of Oral Agreement. Leonard L. Buddenbohm, Atchison County Counselor, Overland Park, January 19, 1993.

Atchison County is not required to refund its \$.75 per month per exchange tax for emergency telephone services. The deduction was requested by the county pursuant to K.S.A. 12-5302. The county then entered into an oral contract with the phone company pursuant to K.S.A. 12-5304. Since the statute does not require the contract to be written, it is valid if there is evidence that it was to be a formal agreement. Therefore, upon a showing that it was a formal agreement there need be no refund of the monies received prior to the writing of the agreement. Cited herein: K.S.A. 12-5302; 12-5304. MIS

#### Opinion No. 93-7

Elections—Party Affiliation of Voters—Declaration of Party or Voter Affiliation; Change of Affiliation; Door-to-door. Senator Phil Martin, 13th District, Pittsburg, January 19, 1993.

Declaration of a party affiliation is an extension of registering to vote. Declaration of a party affiliation may be conducted only by the county election officer and deputy election officers at places designated by the county election officer. Cited herein: K.S.A. 1991 Supp. 25-2311, as amended by L. 1992, ch. 194, § 6; K.S.A. 25-3301; 25-3303; K.S.A. 1991 Supp. 25-3304; 25-3306; L. 1968, ch. 406. RDS

#### Opinion No. 93-8

Schools—School Unification Acts—School District Expenditures Over \$10,000; Bids; Exemptions; Services. Joan Hamilton, Shawnee County District Attorney, Topeka, January 20, 1993.

Those services involving moving and hauling dirt in a grading project undertaken by a unified school district are subject to mandatory bidding requirements when those services involve an expenditure of more than \$10,000. Cited herein: K.S.A. 1991 Supp. 72-6760; K.S.A. 75-6402; L. 1986, ch. 273, § 1; L. 1990, ch. 256, § 1; L. 1991, ch. 226, § 10. RDS

### Opinion No. 93-9

Public Records, Documents and Information—Records Open to Public—Inspection of Records; Certain Records Not Required to be Open; Incident Based Reporting System Codes Not Subject to Criminal Investigation Records Exception. Robert B. Davenport, Director, Kansas Bureau of Investigation, Topeka, January 22, 1993.

The incident based reporting system code sheet is a public record that must be disclosed by law enforcement agencies upon request. Cited herein: K.S.A. 45-216; K.S.A. 1992 Supp. 45-217; K.S.A. 45-218; K.S.A. 1992 Supp. 45-221; 22-4701; K.S.A. 22-4707. JLM

#### Opinion No. 93-10

Public Health—Solid and Hazardous Waste; Kansas Storage Tank Act—Reimbursement from Trust Fund for Corrective Action Costs. Robert V. Eye, General Counsel, Department of Health and Environment, Topeka, January 22, 1993.

Based on available legislative history, in our opinion the intent of the legislature's 1992 amendments was to give limited retroactive effect to the eligibility provisions of the Kansas storage tank act, K.S.A. 65-34,119, and K.S.A. 65-34,119a. Given that premise, it follows that a broad interpretation of the secretary's discretion must be given regarding the conditions of eligibility as found in K.S.A. 65-34,119(a)(7) (secretary's approval of proposed corrective action plan) and K.S.A. 65-34,118 (secretary's authority to waive three bid requirement upon finding of good faith effort). Cited herein: K.S.A. 65-34,100; 65-34,118; 65-34,119; 65-34,119a; K.S.A. 1991 Supp. 65-34,118; 65-34-119. CN

#### Opinion No. 93-11

Crimes and Punishments—Sentencing—Conditions of Probation or Suspended Sentence; Authority of the Court; Authority of Court Services Officer or Community Corrections Officer. Ben Coates, Executive Director, Kansas Sentencing Commission, Topeka, January 22, 1993.

Pursuant to the Kansas sentencing code, neither court services officers nor community corrections officers have authority to unilaterally restrict the liberty of clients under their supervision. A statute which would purport to grant such authority to court services officers or community corrections officers without the benefit of a hearing would violate due process rights guaranteed under the fourteenth amendment to the United States constitution. Cited herein: K.S.A. 1992 Supp. 21-4602; 21-4603; 21-4610. CN

Robert T. Stephan Attorney General

Doc. No. 013015

(Published in the Kansas Register, February 4, 1993.)

Notice of Call for Redemption to the holders of City of Abilene, Kansas Industrial Revenue Bonds Series A, 1980 (Duckwall-Alco Stores, Inc.)

Notice is hereby given that pursuant to Section 4 of Ordinance No. 2502 of the city of Abilene, Kansas, the following described bonds maturing on and after March 1, 1995, and all unmatured coupons appertaining thereto, have been called for redemption and payment on March 1, 1993, at the office of The Citizens Bank of Abilene, Kansas, Abilene, Kansas (the paying agent).

Bond	Maturity	Principal	Interest
Nos.	Date	Amount	Rate
164	3-1-95	\$5,000.00	8.75%

	5 miles		
172	3-1-95	\$5,000.00	8.75%
178	3-1-95	\$5,000.00	8.75%
181	3-1-95	\$5,000.00	8.75%
186	3-1-95	\$5,000.00	8.75%
188	3-1-95	\$5,000.00	8.75%
189	3-1-95	\$5,000.00	8.75%
196	3-1-95	\$5,000.00	8.75%
201	3-1-95	\$5,000.00	8.75%
204	3-1-95	\$5,000.00	8.75%
212	3-1-95	\$5,000.00	8.75%
218	3-1-95	\$5,000.00	8.75%
222	3-1-95	\$5,000.00	8.75%
233	3-1-95	\$5,000.00	8.75%
234	3-1-95	\$5,000.00	8.75%
235	3-1-95	\$5,000.00	8.75%
236	3-1-95	\$5,000.00	8.75%
247	3-1-95	\$5,000.00	8.75%
252	3-1-95	\$5,000.00	8.75%
258	3-1-95	\$5,000.00	8.75%
268	3-1-95	\$5,000.00	8.75%
285	3-1-95	\$5,000.00	8.75%
287	3-1-95	\$5,000.00	8.75%
290	3-1-95	\$5,000.00	8.75%
301	3-1-95	\$5,000.00	8.75%
303	3-1-95	\$5,000.00	8.75%
306	3-1-95	\$5,000.00	8.75%
316	3-1-95	\$5,000.00	8.75%
322	3-1-95	\$5,000.00	8.75%
325	3-1-95	\$5,000.00	8.75%
327	3-1-95	\$5,000.00	8.75%
331	3-1-95	\$5,000.00	8.75%
338	3-1-95	\$5,000.00	8.75%
339	3-1-95	\$5,000.00	8.75%
342	3-1-95	\$5,000.00	8.75%
343	3-1-95	\$5,000.00	8.75%
347	3-1-95	\$5,000.00	8.75%
351	3-1-95	\$5,000.00	8.75%
354	3-1-95	\$5,000.00	8.75%
359	3-1-95	\$5,000.00	8.75%

On such redemption date there shall become due and payable, upon the presentation and surrender of each such bond, the redemption price thereof equal to 100 percent of the principal amount of each bond together with interest accrued to the redemption date, upon the presentation and surrender of each such bond and appropriate coupons appertaining thereto. Interest shall cease to accrue on the bonds so called for redemption, and all unmatured coupons appertaining thereto, from and after March 1, 1993, subject to the condition that sufficient funds for redemption are then on deposit with the paying agent.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payments of interest or principal on corporate securities may be obligated to withhold a 20 percent tax from remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holders of the Series A, 1980 Bonds who wish to avoid the imposition of the tax should submit certified taxpayer identification numbers when presenting the bonds for payment.

Dated January 27, 1993.

City of Abilene, Kansas By: The Citizens Bank of Abilene Abilene, Kansas as Fiscal Agent

(Published in the Kansas Register, February 4, 1992.)

Notice of Redemption
Wyandotte County, Kansas
Federally Taxable Improvement Bonds
Series 1990
(Sandstone Amphitheatre Project)
Dated May 1, 1990

Notice is hereby given on behalf of Wyandotte County, Kansas, that subject to the provisions of the last paragraph of this notice, all of the county's Federally Taxable Improvement Bonds, Series 1990 (Sandstone Amphitheatre Project) dated May 1, 1990, have been called for redemption and payment on March 10, 1993. The Series 1990 Bonds are being called for redemption prior to maturity because of the occurrence of an Event of Default pursuant to Section 901(d) of the Indenture authorizing the issuance of the Series 1990 Bonds. Pursuant to such Indenture, the county has directed the Kansas State Treasurer (the paying agent) to declare the principal of all Outstanding Series 1990 Bonds and the interest accrued thereon to be due and payable on said date.

Maturity June 1	Principal Amount	Interest Rate	CUSIP Numbers
1993	\$120,000	9.90%	982662FN3
1994	130,000	9.90	982662FP8
1995	145,000	9.90	982662FQ6
1996	155,000	9.90	982662FR4
1997	170,000	9.90	982662FS2
1998	190,000	9.90	982662FT0
1999	210,000	9.90	982662FU7
2000	230,000	10.00	982662FV5
2001	255,000	10.00	982662FW3
2002	280,000	10.00	982662FX1
2003	305,000	10.00	982662FY9
2004	335,000	10.00	982662FZ6
2005	370,000	10.00	982662GA0
2006	405,000	10.00	982662GB8
2007	445,000	10.00	982662GC6
2008	490,000	10.00	982662GD4
2009	540,000	10.00	982662GE2

The principal of and accrued interest on such bonds shall become due and payable on March 10, 1993, and from and after said date, interest on such bonds will cease to accrue, provided that funds are on hand to pay such principal and accrued interest at the office of the paying agent on said date.

Holders of the Series 1990 Bonds will receive payment of the principal and the accrued interest to which they are entitled upon presentation and surrender of the certificates at the principal office of the paying agent in Topeka, Kansas. Bonds so called shall be submitted to the Office of the State Treasurer, 900 S.W. Jackson, Topeka, KS 66612-1235, Attn: Bond Services. For prompt payment, please submit bonds two weeks prior to March 10, 1993.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payment of principal on municipal securities will be obligated to withhold 20 percent of the payment of principal to owners who have failed to provide the paying agent with a valid taxpayer identification number. Owners of the above described securities will avoid such withholding by providing a certified tax-

payer identification number when presenting securities for payment.

This notice of redemption, and the payment of the principal of and accrued interest on the Series 1990 Bonds on March 10, 1993, are subject to the issuance and delivery by the county of its General Obligation Refunding Bonds (taxable under federal law), Series 1993-A, on or before March 10, 1993. In the event such refunding bonds have not been issued by March 10, 1993, this notice will be null and void and of no force and effect, the Series 1990 Bonds delivered for redemption will be returned to the respective owners thereof, and said Series 1990 Bonds will remain outstanding as though this notice of redemption had not been given and interest will continue to accrue.

Dated February 4, 1993.

Office of the State Treasurer Topeka, Kansas as Bond Registrar and Paying Agent By: Sally Thompson

Doc. No. 013029

(Published in the Kansas Register, February 4, 1993.)

Statutory Notice of Bond Sale City of Roeland Park, Kansas \$750,000

Internal Improvement Bonds Series 1993A

(general obligations payable from unlimited ad valorem taxes)

#### Sale Period

Sealed bids will be received by the undersigned city clerk of the city of Roeland Park, Kansas, on behalf of the governing body at the Roeland Park City Hall, 4600 W. 51st, Roeland Park, KS 66205, until 2 p.m. C.S.T. on Wednesday, February 17, 1993, for the purchase of the city's Internal Improvement Bonds, Series 1993A, in the principal amount of \$750,000, as hereinafter described. All bids will be publicly opened and read at said time and place and will be acted upon by the governing body at 7:30 p.m. C.S.T. on the same day. No oral or auction bids will be considered. No bid of less than the par value of the bonds and accrued interest thereon to the date of delivery of the bonds will be considered.

#### **Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, will be dated March 1, 1993, and will become due serially on March 1 in each of the years as follows:

\$750,000 Internal Improvement Bonds Series 1993A

Year		Principal Amount
1994		\$30,000
1995		35,000
1996		35,000
1997	20 1	40,000

1998		40,000
1999		45,000
2000	±∰:	45,000
2001	**************************************	50,000
2002		50,000
2003		55,000
2004		60,000
2005		60,000
2006		65,000
2007	•	70,000
2008	e de la companya de La companya de la co	70,000

The bonds will bear interest from their date at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semi-annually on March 1 and September 1 in each year, beginning on Septembr 1, 1993.

The bonds will be delivered to the successful bidder properly prepared, executed and registered without cost within approximately 45 days after the date of their sale at such bank or trust company in the states of Kansas or Missouri as may be specified by the successful bidder and is acceptable to the city.

# Good Faith Deposit

A good faith deposit in the form of a certified or cashier's check or financial surety bond in the amount of \$15,000 must accompany each bid for the bonds.

#### Costs

The city will pay the cost of printing the bonds and the expense of all legal services, including the opinion of Burke, Williams, Sorensen & Gaar, bond counsel, approving the legality of the bonds and the exclusion of the interest thereon (with specified minor exceptions) from federal and Kansas gross income taxes.

#### Assessed Valuation and Indebtedness

For the computation of the debt limitation relating to the bonds, the assessed valuation of the taxable tangible property within the city as of November 1, 1992, is \$38,010,891. The total general obligation indebtedness, including temporary notes, of the city, as of the date of the bonds, including the bonds, is \$5,560,000.

#### Additional Information

A complete notice of bond sale, preliminary official statement and bid forms approved by the city will be mailed to all interested parties. Additional information regarding the bonds may be obtained from the city clerk at (913) 722-2600, or from Burke, Williams, Sorensen & Gaar, bond counsel, at (913) 339-6200.

City of Roeland Park, Kansas By: Anthony J. Pluta City Clerk Roeland Park City Hall 4600 W. 51st Roeland Park, KS 66205 (913) 722-2600

Doc. No. 013030

#### State of Kansas

#### Historic Sites Board of Review

#### Notice of Meeting

The Kansas Historic Sites Board of Review will meet at 9:30 a.m. Saturday, February 20, in the classroom at the Kansas Museum of History, 6425 S.W. 6th, Topeka. The following properties will be evaluated for the National Register of Historic Places and/or the Register of Historic Kansas Places.

- Missouri Pacific Railroad Depot, 430 N. Main, El Dorado, Butler County
- Whitney Ranch, one-half mile southeast of Hymer, SW <sup>1</sup>/<sub>4</sub>, SW <sup>1</sup>/<sub>4</sub>, SE <sup>1</sup>/<sub>4</sub>, Sec. 17, T18S, R7E, Chase County
- Bank of Oberlin, 187 S. Penn, Oberlin, Decatur County
- Bethel Adobe Church, two miles south and one-fourth mile west of Inman, SW <sup>1</sup>/<sub>4</sub>, SW <sup>1</sup>/<sub>4</sub>, NW <sup>1</sup>/<sub>4</sub>, Sec. 21, T21S, R4W, McPherson County (state register only)
- Babbitt-Doerr House, 423 W. 5th, Larned, Pawnee County
- Ross Apartments, 513-521 Van Buren, Topeka, Shawnee County (state register only)

Ramon Powers Executive Director

Doc. No. 013014

#### State of Kansas

#### **Board of Education**

# Notice of Hearing on Proposed Administrative Regulations

The State Board of Education will conduct a public hearing at 1:30 p.m. Tuesday, March 9, in the board room of the State Education Building, 120 S.E. 10th, Topeka, to consider proposed changes in regulations 91-12-22, 91-12-23, 91-12-24a, 91-12-27, 91-12-28, 91-12-30, 91-12-33, 91-12-37, 91-12-40, 91-12-41, 91-12-44, 91-12-47, 91-12-51, 91-12-53, 91-12-54, 91-12-55, 91-12-59, 91-12-61, 91-12-64 and 91-12-65.

The following is a summary of the substance of each proposed regulation and a summary of its anticipated economic impact.

K.A.R. 91-12-22. This regulation contains definitions of the terms used in Article 12. The proposed revision replaces or revises existing definitions for (1) assistive technology, (2) center-based early childhood program, (3) home-based early childhood program, (4) exceptional children, (5) least restrictive environment, (6) mental retardation, (7) related services, and (8) school term. Definitions of rehabilitation counseling services, transition services, and traumatic brain injury are added. The revisions are made for clarification or to bring Article 12 into conformity with the federal Individuals with Disabilities Education Act. There will be no economic impact upon the State Department of (continued)

Education or upon other governmental agencies, private business or individuals.

K.A.R. 91-12-23. This regulation concerns state approval of special education programs. The proposed revision allows programs to have an age/grade span which corresponds with the age/grade span of general education students in the same attendance center. There will be no economic impact upon the State Department of Education or upon other governmental agencies, private business or individuals.

K.A.R. 91-12-24a. This regulation concerns approval of homebound and hospital instruction. The current regulation requires teachers to be fully endorsed in one of the special education subject areas as a condition of eligibility for state special education reimbursement. The change will allow provisionally-endorsed individuals to quality for reimbursement. The proposed revision also would eliminate prior approval of part-time homebound services, and reporting is reduced. There will be no economic impact upon the State Department of Education or upon other governmental agencies, private business or individuals.

K.A.R. 91-12-27. This regulation concerns approval of developmental preschools. The proposed revisions are editorial in nature and will make the terminology consistent with the federal Individuals with Disabilities Education Act. There will be no economic impact upon the State Department of Education or upon other governmental agencies, private business or individuals.

**K.A.R. 91-12-28.** This regulation sets forth procedures for formal complaints of noncompliance with special education requirements and appeals of corrective actions. In some cases, the existing regulation does not allow sufficient time for districts to correct deficiencies. The proposed revision allows more flexibility. There will be no economic impact upon the State Department of Education or upon other governmental agencies, private business or individuals.

K.A.R. 91-12-30. This regulation concerns the role of state schools in the placement of students with sensory impairments. The proposed revision is to clarify the role and responsibilities of the state schools in the placement of such students. There will be no economic impact upon the State Department of Education or upon other governmental agencies, private business or individuals.

K.A.R. 91-12-33. This regulation concerns the provision of referral procedures. The proposed revision is to ensure that parents know how to make referrals for special education services for their children. There will be no economic impact upon the State Department of Education or upon other governmental agencies, private business or individuals.

K.A.R. 91-12-37. This regulation concerns special education reimbursement. The proposed revision makes the number of required clock hours of instruction consistent with 1992 amendments to K.S.A. 72-1106. There will be no economic impact upon the State Department of Education or upon other governmental agencies, private business or individuals.

K.A.R. 91-12-40. This regulation concerns the implementation of on-going procedures to identify chil-

dren with disabilities. The proposed revision makes the editorial changes necessary to be consistent with the definition of "school age" as set forth in other regulations. There will be no economic impact upon the State Department of Education; however, some savings should accrue to school districts.

K.A.R. 91-12-41. This regulation concerns reimbursement for individualized education programs. The proposed revision is required by amendments to the Individuals with Disabilities Education Act, which require the provision of transition services to students with disabilities age 14 and older. There may be added expenditures required for students over 14 if the district is not already providing transition services. There will not, however, be any fiscal impact upon other governmental agencies, private business or individuals.

K.A.R. 91-12-44. This regulation concerns procedural due process. The intent of the proposed revision is to make clear that the State Board of Education has no responsibility for procedural due process for students attending the state schools and that the Secretary of Social and Rehabilitation Services is responsible for procedural due process for students housed and maintained in state institutions. There will be no economic impact upon the State Department of Education or upon other governmental agencies, private business or individuals.

K.A.R. 91-12-47. This regulation concerns local education agency due process hearings. The proposed revision requires school districts to notify the State Department of Education when a local due process hearing is requested. This revision is required by the U.S. Department of Education. There will be no economic impact upon the State Department of Education or upon other governmental agencies, private business or individuals.

K.A.R. 91-12-51. This regulation provides guidelines for the operation of early childhood special education services. The proposed revision is only a change of terminology. There will be no economic impact upon the State Department of Education or upon other governmental agencies, private business or individuals.

K.A.R. 91-12-53. This regulation provides guidelines for the operation of speech language services. The proposed revision would make this regulation compatible with K.A.R. 91-12-23, which eliminates the 4-year age/grade span restriction for special education classes. There will be no economic impact upon the State Department of Education or upon other governmental agencies, private business or individuals.

K.A.R. 91-12-54. This regulation provides guidelines for the operation of programs for students with mental retardation. The proposed revision would make this regulation compatible with K.A.R. 91-12-23, which eliminates the 4-year age/grade span restriction for special education classes. There will be no economic impact upon the State Department of Education or upon other governmental agencies, private business or individuals.

K.A.R. 91-12-55. This regulation provides guidelines for the operation of programs for students with be-

havior disorders. The proposed revision would make this regulation compatible with K.A.R. 91-12-23, which eliminates the 4-year age/grade span restriction for special education classes. There will be no economic impact upon the State Department of Education or upon other governmental agencies, private business or individuals.

K.A.R. 91-12-59. This regulation provides guidelines for the operation of programs for students with visual impairments. The proposed revision would make this regulation compatible with K.A.R. 91-12-23, which eliminates the 4-year age/grade span restriction for special education classes. There will be no economic impact upon the State Department of Education or upon other governmental agencies, private business or individuals.

**K.A.R. 91-12-61.** This regulation concerns the employment of paraprofessionals in special education. The proposed revision are editorial in nature. There will be no economic impact upon the State Department of Education or upon other governmental agencies, private business or individuals.

K.A.R. 91-12-64. This regulation provides guidelines for the operation of special education instructional media centers. The proposed revision changes the name of this program from "special education materials centers" to "special education media centers." There will be no economic impact upon the State Department of Education or upon other governmental agencies, private business or individuals.

K.A.R. 91-12-65. This regulation provides guidelines for the provision of transition services. The proposed revision replaces existing state requirements for vocational training with the new requirements for transition services contained in the Individuals with Disabilities Education Act. There will be no economic impact upon the State Department of Education or upon other governmental agencies, private business or individuals.

A copy of each of the proposed regulations and complete economic impact statement may be obtained by contacting the secretary of the State Board of Education at the address above prior to the date of the hearing.

All interested persons will be given a reasonable opportunity at the hearing to present their views or arguments, either orally or in writing, in regard to the proposed regulations. In addition, the period of public notice hereby provided constitutes a public comment period for the purpose of receiving written public comments on the proposed regulations. Such written comments may be submitted to the secretary of the State Board of Education. The hearing shall be conducted in compliance with the public hearing procedures of the board.

Dr. Lee Droegemueller Commissioner of Education

Doc. No. 013001

State of Kansas

#### **Board of Education**

# Notice of Hearing on Proposed Administrative Regulations

The State Board of Education will conduct a public hearing at 1:30 p.m. Tuesday, March 9, in the board room of the State Education Building, 120 S.E. 10th, Topeka, to consider proposed State Board regulations 91-1-30, 91-1-80, 91-1-102a, 91-1-104b, 91-1-104c, 91-1-110a, 91-1-110c, 91-1-112d, and 91-1-113b.

The proposed change in S.B.R. 91-1-30 would allow those who have completed elementary programs to be eligible for middle-level and junior high endorsement. It also allows new elementary and secondary graduates who have student taught in one of grades five through nine to qualify for this endorsement. The revised regulation clarifies the working for KSBE certification staff, departments of education at Kansas teacher education institutions, administrators in the field, and secondary and elementary teachers seeking middle-level or junior high endorsements.

Each of the other regulations modify the requirements for certain teacher preparation programs so that these programs include training and instruction to make teachers competent to provide instruction about human sexuality and sexually-transmitted diseases, in-

cluding AIDS.

Each proposed regulation is printed with this notice. A complete economic impact statement for each regulation may be obtained by contacting the secretary of the State Board of Education, 120 S.E. 10th, Topeka 66612.

All interested persons will be given a reasonable opportunity at the hearing to present their views or arguments, either orally or in writing, in regard to the proposed regulations. In addition, the period of public notice hereby provided constitutes a public comment period for the purpose of receiving written public comments on the proposed regulations. Such written comments may be submitted to the secretary of the State Board of Education at the address above. The hearing shall be conducted in compliance with the public hearing procedures of the board.

91-1-30. Elementary, middle level, junior high, and secondary endorsements. (a) Initial certification.

(1) Except as otherwise expressly provided in these regulations, each initial certificate shall be valid for three years.

(2) Any secondary endorsement shall be extended to grades five and six, if the applicant's preparation:

- (A) Includes course work in child and adolescent psychology, accredited experience or student teaching in one of the grades five through nine, and 15 semester hours of education or training in each field or subject covered by the endorsement. This option shall expire July 1, 1997; or
- (B) meets the standards set forth in S.B.R. 91-1-144 and the appropriate middle-level subject and field requirements, and includes accredited teaching experience or student teaching in one or more of the grades

continued

five through nine, and 15 semester hours of education or training in each field or subject covered by the

endorsement.

(3) Any applicant who holds or is eligible for a certificate with an endorsement at the secondary level for one or more subjects or fields shall be granted an endorsement at the middle or junior high level, if the applicant meets the requirements of S.B.R. 91-1-30(a)(2).

(4) Any elementary certificate shall include a subject level endorsement for middle or junior high school level if the

applicant's preparation:

(A) Includes coursework in child and adolescent psychology, accredited experience or student teaching in one of the grades five through nine for middle or junior high school level, and 15 semester hours of education or training in each field or subject covered by the endorsement. This option shall expire July 1, 1997; or

(B) meets the standards set forth in S.B.R. 91-1-144 and the appropriate middle level subject and field requirements, and includes accredited teaching experience or student teaching in one or more of the grades five through nine, and 15 semester hours of education or training in each field or subject

covered by the endorsement.

(4) (5) Any applicant who is employed at an accredited teacher education institution, may meet recent credit or experience requirements with verification by the dean or head of the education department that the experiences the individual has acquired in the areas of research, curriculum development, staff development or inservice education are equivalent to the semester hour requirements for initial certification provided in S.B.R. 91-1-27(c).

(b) Renewal requirements. (1) Credit other than upper-division or graduate level credit that is submitted as a basis for renewal of certification shall be approved by the applicant's district school administrator or building administrator. Applicants for renewal of certification based upon credit hours shall select select credit hours which maintain or improve skills related to their employment as teachers, administrators or special services personnel. Renewal credit shall be appropriate for the endorsement or any endorsements which appear on the certificate, to a new endorsement area, or to professional development.

(2) Applicants for renewal of certification based upon credit hours who do not have previous credit in the area of exceptional children shall have completed a two-hour survey course or other courses with equivalent content in the area of exceptional children.

- (3) Applicants for renewal of certification based upon accredited experience who do not have previous credit in the area of exceptional children shall have completed a two-hour survey course or other courses with equivalent content in the area of exceptional children.
- (4) When any person has two years of accredited, recent experience in the area for which the person is certified, and when that person meets the requirements of subsection (b)(2) or (b)(3) of this regulation, the person's certificate may be renewed for five years, if:

(A) The experience was obtained within the term of the three-year certificate; and

(B) the person is recommended for renewal by the administration of the school in which the person is

employed.

(5) For any person who does not hold an advanced degree, a renewal of a five-year certificate shall require that the person have completed a minimum of eight additional hours of recent credit or the prescribed number of recent inservice education points specified in S.B.R. 91-1-146a to 91-1-146d.

(6)(A) Any person holding an advanced degree may be granted two renewals of a five-year certificate if the person has completed three years of accredited, recent experience during the term of the most recent

ertificate.

(B) Further renewals of a five-year certificate issued to a person who holds an advanced degree shall require that the person have completed six additional hours of recent credit or the prescribed number of recent inservice education points as specified in S.B.R. 91-1-146a to 91-1-146d.

(7) Any applicant for renewal of an elementary certificate who has not previously completed a course in the teaching of reading shall have completed such a course. This course shall include a supervised

practicum.

(8) Any person having an initial certificate who does not meet the requirements for a five-year certificate may be granted an additional three-year certificate if the person has:

(A) One year of accredited, recent experience since the issuance of the most recent three-year Kansas

certificate;

(B) six additional hours of recent credit or the prescribed number of recent inservice education points as specified in S.B.R. 91-1-146a to 91-1-146d, if the applicant holds an advanced degree; or

(C) eight additional hours of recent credit or the prescribed number of recent inservice education points specified in S.B.R. 91-1-146a to 91-1-146d, if the ap-

plicant does not hold an advanced degree.

- (9) Applicants for renewal of certification who are employed at an accredited teacher education institution may meet renewal requirements with verification by the dean or head of the education department that the experiences the individual has acquired in the areas of research, curriculum development, staff development or inservice education are equivalent to the stated semester hour requirements for renewal of certification provided in state board regulations for the certificate the individual holds or has held.
- (10)(A) The following types of certificates, which were valid as of July 1, 1980, shall be treated as non-expiring: 123, 124, 125, 126, 127, 128, 133, 139, 140, 144, 145, 146, 147, 157, 158, 201, and 202.
- (B) Those certificates listed above, which were not valid as of July 1, 1980, shall be renewed as non-expiring certificates by meeting the requirements prescribed in S.B.R. 91-1-30(b)(2), (b)(3), or (b)(4)(B).
- (11) The state board reserves the right to modify or amend the regulations relating to renewal require-

ments for all certificates. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) Jan. 8, 1982; (permanent) May 1, 1982; amended May 1, 1983; amended May 1, 1984; amended May 1, 1986; amended May 1, 1987; amended P-\_\_\_\_\_\_)

**91-1-80.** Pre-service professional education. (a) Each teacher education program which requires student teaching as a part of the program shall include

a professional education component.

(b) The professional education component shall include studies in foundations of education, methods and materials of teaching, interpersonal relations, multicultural education, equal educational opportunity, human sexuality, and supervised laboratory experiences.

(c) Each institution shall have written objectives for

the professional education component.

(d) The professional education component shall require demonstration of each student to demonstrate competence in the following:

(1) Knowledge of the process of human growth and development, and the application of this knowledge

to teaching;

(2) knowledge of major categories of exceptionality and the application of this knowledge to teaching;

(3) knowledge of evaluation techniques, research findings, teaching methods, laboratory techniques, materials, media, technology and safety procedures appropriate to teaching each field of specialization;

(1) Knowledge of the importance of self esteem, and techniques to foster the development of positive self esteem in students.

esteem in students;

- (2) knowledge of communication theory and techniques to foster the development of verbal and non-verbal communication;
- (3) knowledge of techniques for teaching goal-setting and decision-making;

(4) knowledge of the importance of interpersonal relations skills, and techniques for teaching these skills;

- (5) knowledge of the process of human growth and development, and the application of this knowledge to teaching;
- (6) knowledge of the physical, psychological and sociological effects, both positive and negative, relating to human sexuality and sexual behavior;

(7) knowledge of acquired immune deficiency syn-

drome and sexually-transmitted diseases;

(8) knowledge of major categories of exceptionality, and the application of this knowledge to teaching;

(9) knowledge of evaluation techniques, research findings, teaching methods, laboratory techniques, materials, media, technology, and safety procedures appropriate to teaching each field of specialization;

(4) (10) the ability to teach effectively and to work ethically and constructively with pupils, teachers, ad-

ministrators, and parents;

(5) (11) an understanding of the foundations underlying the development and organization of education in the United States;

(12) an understanding of the role and responsibilities of the school in regard to recognizing and reporting child abuse or neglect;

(6) (13) an understanding of the licensing of teach-

ers, administrators and other school personnel;

(7) (14) an understanding of related professional organizations and their impact on the educational process;

(8) (15) an understanding of the purposes, administrative organization, and operation of the basic ed-

ucational programs of the schools;

(9) (16) the ability to use self assessment as one means of continuous professional development; and

(10) (17) the ability to teach basic reading skills appropriate to the level and field of endorsement.

(e) The professional education component shall require field experiences throughout the program providing for observation and experience with school-age youth.

(f) Student teaching shall be included in the professional education component and shall require that:

(1) The responsibilities involved in supervision of student teachers shall be designated in writing and

made available to cooperating schools;

- (2) the observations by teacher education institutions shall be in sufficient number and of a length to provide adequate observation and evaluation of each student teacher and adequate consultation with cooperating teachers and student teachers. One of the supervisory visits shall occur prior to or at the beginning of the student teaching experience. During this visit, the institution-based supervisor, cooperating teacher and education student shall meet and confirm the responsibilities, roles and expectations of each. The teacher education institution shall maintain a record of the frequency and duration of the supervisory visits;
- (3) instructional resources for supervision of student teaching experiences shall be provided by the teacher education institution and based on the traditional fulltime teaching load of the institution with two student teachers equivalent to one semester hour;

(4) the student teachers in subject areas at the middle and secondary levels shall be supervised by either professional education faculty with expertise in the subject area or by a combination of professional education and subject area faculty; and

(5) the student teaching experience shall be for the majority of each school day during at least a 10-week period and consist of a comprehensive experience with expanding responsibilities including the full range of

activities of a certified teacher.

(g) Student teaching shall be permitted only after:

(1) a comprehensive, professional review of a student's record indicates scholarship in an area or areas of specialization; and

(2) the student has demonstrated competence in the professional education component qualify a student for the responsibilities of student teaching

for the responsibilities of student teaching.

(b) Fach teacher education institution of

(h) Each teacher education institution shall have written contracts with local education agencies for mutually agreed upon activities, services, and compen(continued)

sation; roles and responsibilities; provisions for solving problems and the coordination of ongoing activities; and means for revisions to meet changing needs and conditions.

(i) Each local education agency and teacher education institution shall have an identifiable coordinator who channels or coordinates all contacts, operations, and activities which pertain to field experiences prior to and during the student teaching, internship, or apprenticeship program.

(j) This regulation shall be effective July 1, 1994. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective Jan. 8, 1982; amended May 1, 1984; amended Sept. 3, 1990;

amended P-\_

- **91-1-102a.** Health. (a) Each applicant for a health education endorsement shall have successfully completed a state-approved health education program and shall be recommended by a teacher education institution.
- (b) A state-approved program in health education shall consist of a course of study requiring each student to demonstrate knowledge of:

(1) The aims and objectives of health education in the schools;

(2) human physiology and anatomy, basic body chemistry, microbiology, genetics, and ecology;

(3) the behavioral and social sciences pertinent to the study of health;

(4) personal health and physical fitness;

- (5) community and environmental health, including sanitation and pollution;
- (6) nutrition, including weight control, food fads, and diet supplements;

(7) emotional and mental health;

(8) the physical, social, and emotional health hazards of drugs, alcohol, and tobacco;

(9) the physical and emotional aspects of sex;

(10) communicable diseases (including venereal disease), body defenses, and immunization programs;

(11) common physical and mental exceptionalities and degenerative diseases;

(12) consumer health, including the evaluation of advertising for the selection of health products and professional services;

(13) first aid and emergency care;

- (14) safety in outdoor, water, home, industrial, and traffic settings;
- (15) a variety of methods and modalities for teaching human sexuality, including information about sexually transmitted diseases, especially acquired immune deficiency syndrome (AIDS);

(16) the rights and responsibilities of the individual as they relate to family systems and parenthood; and

- (1) cultural, ethnic, racial, religious, and gender similarities and differences relating to human sexuality.
- (c) Each program shall provide experience in developing, promoting, and implementing a school health environment and cooperative relationships with voluntary, community, and other health agencies.

(d) Prior to July 1, 1994, any institution may request that its health education program be approved by the State Board under the provisions of this regulation.

(e) On and after July 1, 1994, any institution desiring to have an approved health education program shall meet the requirements of this regulation. (Authorized by and implementing Kansas Constitution, Article 6, Section 2(a); effective P-\_

91-1-104b. Home economics (non-vocational). (a) Each applicant for a home economics endorsement shall have successfully completed a state-approved home economics program and be recommended by a teacher education institution.

(b) A state-approved program in home economics shall consist of a course of study requiring each student

to demonstrate knowledge of:

(1) The developmental processes of children and creating and maintaining an environment in which children and families develop and interact as individuals and family members;

(2) a multiplicity of factors involved in clothing and textiles which satisfy the needs of persons and families;

(3) the importance of making value judgments and decisions about shelter needs, furnishings, and equipment for individuals and families;

(4) the appropriate selection, planning, preparation and serving of foods according to nutritional needs of

various individuals, families, and groups;

(5) the proper management of individual and family resources to achieve individual and family goals at the various stages of the life cycle;

(6) the maintenance of appropriate human relations in planning, developing, teaching, supervising, and evaluating programs in occupational home economics;

(7) a variety of methods and modalities for teaching human sexuality, including information about sexually transmitted diseases, especially acquired immune deficiency syndrome (AIDS);

(8) the rights and responsibilities of the individual as they relate to family systems and parenthood; and

(9) cultural, ethnic, racial, religious, and gender similarities and differences relating to human sexuality.

(c) Prior to July 1, 1994, any institution may request that its home economics program be approved by the State Board under the provisions of this regulation.

- (d) On and after July 1, 1994, any institution desiring to have an approved home economics program shall meet the requirements of this regulation. (Authorized by Article 6, Section 2(a) of the Kansas Constitution, Article 6, Section 2(a); effective P-
- 91-1-104c. Middle-level home economics. (a) Each applicant for a home economics endorsement at the middle level shall have successfully completed a state-approved middle-level home economics program and shall be recommended by a teacher education institution.

(b) Approved programs shall require students to complete a course of study requiring the students to demonstrate:

(1) Knowledge of the multidisciplinary approach of home economics. The course of study shall require students to demonstrate the ability to:

- (A) Identify the comprehensive scope of home economics;
- (B) analyze the contribution of each area of home economics to personal and family life; and

(C) identify occupational opportunities in the field;(2) knowledge of the family unit. The course of

study shall require students to demonstrate:

(A) Knowledge of the development, care, and guidance of a child from infancy through preschool;

- (B) the ability to analyze factors which influence positive self-concept and successful interpersonal relations;
   and
- (C) the ability to relate development of self-concept to peer and family relationships throughout the life cycle;

(3) knowledge of home economics content. The course of study shall require students to demonstrate

the ability to:

(A) Identify and apply the principles of the decisionmaking process to personal, family, consumer, and resource management;

(B) evaluate consumer issues as they relate to the

individual, family, and the community;

(C) recognize the effect of housing and space needs on individuals and families;

(D) identify and apply methods and techniques of clothing selection, care and construction that are timely and energy efficient;

(E) understand the principles of nutrition, food se-

lection and preparation;

(F) identify the relationship of grooming practices to personal health and appearance; and

(G) identify safety procedures in the management of

home and family life;

- (4) knowledge of home economics education. The course of study shall require students to demonstrate the ability to:
- (A) Develop and evaluate curriculum appropriate for middle-level home economics; and
- (B) develop and demonstrate the use of teaching materials, resources and techniques appropriate for middle-level home economics; and
- (5) knowledge of human sexuality and sexually transmitted diseases, including AIDS. The course of study shall require students to demonstrate knowledge of:
- (A) A variety of methods and modalities for teaching human sexuality;
- (B) the rights and responsibilities of the individual as they relate to family systems and parenthood; and
- (C) cultural, ethnic, racial, religious, and gender similarities and differences relating to human sexuality.
- (c) Prior to July 1, 1994, any institution may request that its middle-level home economics program be approved under the provisions of this regulation.
- (d) On and after July 1, 1994, any institution desiring to have an approved middle level home economics program shall meet the requirements of this regulation. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective P-\_\_\_\_\_\_.)
- 91-1-110a. Adapted physical education. (a) Each applicant for an adapted physical education endorse-

ment at the elementary, middle or secondary level of instruction shall have successfully completed a state approved adapted physical education program and the requirements of S.B.R. 91-1-100 91-1-110b or 91-1-110c for a physical education endorsement and shall be recommended by a teacher education institution.

(b) Approved programs shall enable students to demonstrate those skills which are necessary to teach adapted physical education to all exceptionalities by:

(1) Demonstrating the ability to screen and assess physical education skills of individuals exhibiting various handicapping conditions;

(2) demonstrating the ability to write in behavioral terms and assess instructional objectives for adapted

physical education;

(3) demonstrating the ability to reassess and revise the student's program as necessary;

(4) demonstrating the ability to analyze, adapt, and implement physical education curriculum in providing programs for a variety of handicapping conditions;

(5) demonstrating ability to adapt teaching methods, materials, and techniques for physical and motor fit-

ness to the needs of the handicapped; and

- (6) demonstrating the ability to use community and staff resources within the special education environment. (Authorized by, and implementing, Kans. Const., Art. 6, Section 2(a); effective May 1, 1984; amended July 12, 1985; amended P-\_\_\_\_\_)
- **91-1-110c.** Physical education. (a) Each applicant for a physical education endorsement shall have successfully completed a state-approved physical education program and shall be recommended by a teacher education institution.
- (b) A state-approved program in physical education shall consist of a course of study requiring each student to demonstrate knowledge of:
- (1) The aims and objectives of physical education and the development of curricula to meet those aims and objectives by:
- (A) Planning programs using the purposes and objectives of physical education; and
- (B) describing the values of physical fitness to society and to individuals;
- (2) physical education from historical and philosophical perspectives;

(3) human movement sciences by:

- (A) Identifying the structure and understanding the function of the human organism;
- (B) understanding the principles of physiological processes and principles involved in efficient motor skill learning and exercise;

(C) understanding the principles of the kinematics of the human body during movement activities;

- (D) identifying and applying the relationships between age-related physical changes and physical activity; and
- (E) demonstrating a knowledge and understanding of socio-psychological dimensions of physical activity and sport;
- (4) the proper conduct of a program of physical education that is appropriate to level of endorsement by: (continued)

- (A) Identifying and applying skills, techniques, and methodologies associated with physical activities using fundamental motor skills in physical fitness programs, tumbling and gymnastics, individual and dual sports, team sports and games, rhythms, dance and aquatics; and
- (B) demonstrating the ability to organize and administer interscholastic and intramural programs;

(5) caring for and preventing minor athletic injuries,

and administering first aid by:

(A) Demonstrating the ability to discriminate between serious and minor athletic injuries;

(B) demonstrating the ability to administer first aid

to a wide array of minor injuries;

(C) demonstrating the ability to administer cardiopulmonary resuscitation to another human being;

(D) demonstrating taping and support procedures for a wide array of minor athletic problems; and

(E) applying the methods utilized in the prevention of athletic injuries;

(6) development of individual physical fitness by:

(A) Demonstrating knowledge of the strengths and weaknesses of lifetime activities for maintaining fitness;

(B) demonstrating the ability to design and implement an individual physical fitness program; and

(C) identifying risks associated with certain sporting

and physical fitness activities;

(7) a variety of methods and modalities for teaching human sexuality, including information about sexually transmitted diseases, especially acquired immune deficiency syndrome (AIDS);

(8) the rights and responsibilities of the individual as they relate to family systems and parenthood; and

(9) cultural, ethnic, racial, religious, and gender similarities and differences relating to human sexuality.

(c) Prior to July 1, 1994, any institution may request that its physical education program be approved by the State Board under the provisions of this regulation.

- (d) On and after July 1, 1994, any institution desiring to have an approved physical education program shall meet the requirements of this regulation. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective P-\_\_\_\_\_.)
- **91-1-112e.** General science. (a) Each applicant for a general science endorsement shall have successfully completed a state-approved program in general science and shall be recommended by a teacher education institution.
- (b) A state-approved program in general science shall consist of a course of study requiring each student to demonstrate:

(1) Knowledge of:

(A) basic processes, concepts and principles of biology, chemistry, physics, and earth and space science;

(B) the cultural, intellectual, and philosophical na-

ture of science;

(C) advanced algebra, trigonometry, matrices and determinants, exponential and logarithmic functions and probability;

(D) a variety of methods and modalities for teaching human sexuality, including information about sexually transmitted diseases, especially acquired immune deficiency syndrome (AIDS);

(E) the rights and responsibilities of the individual as they relate to family systems and parenthood; and

(F) cultural, ethnic, racial, religious, and gender similarities and differences relating to human sexuality; and

(2) the ability to:

(A) utilize basic problem-solving processes, including observation, inference, measurement, prediction, use of numbers, classifying and use of space and time relationships in both physical and life science;

(B) utilize integrated process skills, including identification and control of variables, interpretation of data, formulation and testing of hypotheses, and experimentation in both physical and life science;

(C) identify and describe broad-based interrelationships among biology, chemistry, physics, and earth

and space science;

(D) describe the relationships among the lithosphere, atmosphere, hydrosphere and man's environment as they apply to the study of general biology, chemistry, physics, and earth and space science;

(E) describe and apply analytical methods in multidisciplinary approaches to studying and solving problems encountered by societies living in a world with finite resources, population increase, and diminishing energy reserves;

(F) describe the relationship between science and technology, and illustrate the impact of technological

developments on cultures within society;

(G) illustrate that science involves the use of basic problem-solving skills to increase personal appreciation of the total environment, as well as their practical application;

(H) illustrate, through laboratory experiences, the open-ended, spiraling nature of scientific inquiry as a

cyclic, continuous process; and

(I) use computers for classroom instruction in science.

(c) Prior to July 1, 1994, any institution may request that its general science program be approved under

the provisions of this regulation.

- (d) On and after July 1, 1994, any institution desiring to have an approved general science program shall meet the requirements of this regulation. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective P-\_\_\_\_\_\_)
- **91-1-112d.** Middle-level science. (a) Each applicant for a science endorsement at the middle level shall have successfully completed a state-approved middle-level science program and shall be recommended by a teacher education institution.

(b) Approved programs shall require students to complete a course of study requiring the students to demonstrate:

(1) Knowledge of the basic principles of biological science, physical science, and earth science including a knowledge of:

(A) Classification systems, basic health principles, continuity, structure/function, diversity, evolution, nutrition, behavior, life cycles and energy systems;

(B) metric measures, matter and energy, the basic principles of physics, and the basic principles of chemistry; and

(C) basic geology, forces changing the earth, mete-

orology, and descriptive astronomy;

(2) an understanding of and the ability to use the scientific method by being proficient in:

(A) Organization and use of laboratory equipment;

(B) field observation; and

(C) process skills, including identifying and controlling variables, interpreting data, formulating and teaching hypotheses, and experimenting;

(3) an understanding of the relationships between scientific principles and everyday life by displaying:

(A) Skill in using scientific principles to improve human life and to help students cope with an increasingly technological world; and

(B) awareness of the nature of a wide variety of science and technological careers open to students;

- (4) the ability to apply mathematical principles to the study of scientific issues;
- (5) the ability to use computers for classroom instruction in science;

(6) the ability to relate the study of science to science-related societal issues;

(7) knowledge of a variety of methods and modalities for teaching human sexuality, including information about sexually transmitted diseases, especially acquired immune deficiency syndrome (AIDS);

(8) knowledge of the rights and responsibilities of the individual as they relate to family systems and

parenthood; and

(9) knowledge of cultural, ethnic, racial, religious, and gender similarities and differences relating to human sexuality.

(c) Prior to July 1, 1994, any institution may request that its middle-level science program be approved un-

der the provisions of this regulation.

(d) On and after July 1, 1994, any institution desiring to have an approved middle level science program shall meet the requirements of this regulation. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective P-\_\_\_\_\_\_.)

**91-1-113b.** Biology. (a) Each applicant for a biology endorsement at the secondary level shall have successfully completed a state-approved program in bi-

ology, shall have met the general requirements in S.B.R. 91-1-112a and shall be recommended by a teacher education institution.

(b) A state-approved program shall consist of a course of study requiring each student to demonstrate

knowledge of:

(1) The fundamentals of biology, including botany, zoology, bacteriology or microbiology, anatomy, and

physiology;

(2) laboratory techniques concerned with the study of systematics, development, evolution, genetics, behavior, homeosatic mechanisms and all the life processes in animals, plants, and microbes;

(3) knowledge of the fundamentals of ecology;

(4) the proper conduct and direction of meaningful field trips and investigations concerned with obtaining information on ecological populations ecosystems, energy flow, nutrient cycles and the sociobiological aspects of ecology;

(5) chemistry, mathematics, and physical science or

physics including:

(A) Knowledge of the laboratory techniques equivalent to general college chemistry;

(B) subject-matter knowledge equivalent to general college physical science or college physics; and

(C) a working knowledge of mathematics equivalent

to college algebra.

(6) a variety of methods and modalities for teaching human sexuality, including information about sexually transmitted diseases, especially acquired immune deficiency syndrome (AIDS);

(7) the rights and responsibilities of the individual as they relate to family systems and parenthood; and

(8) cultural, ethnic, racial, religious, and gender similarities and differences relating to human sexuality.

(c) Prior to July 1, 1994, any institution may request that its biology program be approved by the State Board under the provisions of this regulation.

(d) On and after July 1, 1994, any institution desiring to have an approved biology program shall meet the requirements of this regulation. (Authorized by, and implementing, Kansas Constitution, Article 6, Section 2(a); effective P-\_\_\_\_\_\_)

Dr. Lee Droegemueller Commissioner of Education

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